

BULKY DOCUMENTS

(exceeds 300 pages)

Proceeding/Serial No: 91163719

Filed: 1-18-09

Title: To Applicant's Notice of Reliance

Part 5 of 11

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

1

EXHIBIT 417

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:19:43 ET

Serial Number: 75119613 Assignment Information

Registration Number: 2237931

Mark (words only): DIGITAL DAZE

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2005-03-31

Filing Date: 1996-06-17

Transformed into a National Application: No

Registration Date: 1999-04-13

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 834 -Post Registration

Date In Location: 2005-03-31

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DIGITAL DAZE SOFTWARE

Composed Of:

composed of William L. Gerrard and pamela L. Gerrard, both U.S. citizens

Address:

DIGITAL DAZE SOFTWARE
SUITE 7-415 28715 LOS ALISOS BOULEVARD
MISSION VIEJO, CA 92692
United States

Legal Entity Type: Partnership

State or Country Where Organized: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer programs for entertainment, namely, game-playing purposes; and computer programs for education and teaching purposes, namely, teaching of mathematics, computer use, computer software use and accounting

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=2237931>

1/16/2007

Basis: 1(a)
First Use Date: 1994-02-02
First Use in Commerce Date: 1994-02-02

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-03-31 - Section 8 (6-year) accepted & Section 15 acknowledged
- 2004-12-01 - Section 8 (6-year) and Section 15 Filed
- 2004-12-01 - TEAS Section 8 & 15 Received
- 1999-04-13 - Registered - Principal Register
- 1999-01-19 - Published for opposition
- 1998-12-18 - Notice of publication
- 1998-10-19 - Approved for Pub - Principal Register (Initial exam)
- 1998-08-03 - Communication received from applicant
- 1998-07-23 - Final refusal mailed
- 1998-03-23 - Communication received from applicant
- 1997-12-29 - Unresponsive/Duplicate Paper Received
- 1997-06-17 - Letter of suspension mailed
- 1997-04-21 - Communication received from applicant
- 1997-01-30 - Non-final action mailed
- 1997-01-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
PAUL A. HOFFMAN,

Correspondent
PAUL A. HOFFMAN,

LAW OFFICES OF PAUL E. GREENWALD
SUITE 860, 1851 E. FIRST STREET
SANTA ANA, CA 927054039

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 418

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:20:26 ET

Serial Number: 75904248 Assignment Information

Registration Number: 2818626

Mark



(words only): REVOLUTION BUSINESS AND MARKETING IN THE DIGITAL ECONOMY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-03-02

Filing Date: 2000-01-26

Transformed into a National Application: No

Registration Date: 2004-03-02

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2005-04-25

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Haymarket Business Publications Limited

Address:

Haymarket Business Publications Limited
174 Hammersmith Road
LONDON W6 7JP
United Kingdom

Legal Entity Type: Corporation

State or Country of Incorporation: United Kingdom

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

DOWNLOADABLE ONLINE ELECTRONIC MAGAZINES, NEWSLETTERS AND JOURNALS IN THE FIELD OF INFORMATION TECHNOLOGY, BUSINESS AND MARKETING

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 016

Class Status: Active

PRINTED MATTER, NAMELY, PERIODICAL MAGAZINES, NEWSLETTERS AND JOURNALS IN THE FIELDS OF INFORMATION TECHNOLOGY, BUSINESS AND MARKETING

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 041

Class Status: Active

PUBLISHING SERVICES, NAMELY, PUBLICATION OF TEXT AND GRAPHIC WORKS OF OTHERS IN THE FIELDS OF INFORMATION TECHNOLOGY, BUSINESS AND MARKETING VIA A GLOBAL COMPUTER NETWORK; PUBLICATION OF ONLINE MAGAZINES

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "BUSINESS AND MARKETING IN THE DIGITAL ECONOMY"

Foreign Registration Number: 2212436

Foreign Registration Date: 2002-10-04

Country: United Kingdom

Foreign Expiration Date: 2009-10-26

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-02-07 - Section 7 correction issued

2004-09-20 - Section 7 amendment filed

2004-09-20 - PAPER RECEIVED

2004-03-02 - Registered - Principal Register

2004-01-21 - ITU claim deleted

2001-01-21 - Notice of Allowance canceled

2003-10-06 - PAPER RECEIVED

2003-06-03 - Notice of allowance - mailed

2003-03-11 - Published for opposition

2003-02-19 - Notice of publication

2003-01-16 - Approved for Pub - Principal Register (Initial exam)

2002-12-06 - Communication received from applicant

2002-12-06 - PAPER RECEIVED

2002-11-07 - Letter of suspension mailed

2002-10-17 - Communication received from applicant

2002-10-21 - Communication received from applicant

2002-10-21 - PAPER RECEIVED

2002-04-17 - Non-final action mailed

2002-03-25 - Communication received from applicant

2002-02-25 - Communication received from applicant

2001-09-24 - Final refusal mailed

2001-09-22 - Assigned To Examiner

2001-07-16 - Communication received from applicant

2001-01-16 - Non-final action mailed

2000-11-13 - Communication received from applicant

2000-06-23 - Unresponsive/Duplicate Paper Received

2000-06-27 - Non-final action mailed

2000-06-26 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Joseph T. Nabor

Correspondent

JOSEPH T. NABOR
FITCH, EVEN, TABIN & FLANNERY
120 SOUTH LASALLE STREET
CHICAGO, ILLINOIS 60603

Domestic Representative

Fitch, Even, Tabin & Flannery

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 419

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:20:46 ET

Serial Number: 75017896 Assignment Information

Registration Number: 2398173

Mark (words only): DIGITAL CHICAGO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2000-10-24

Filing Date: 1995-11-13

Transformed into a National Application: No

Registration Date: 2000-10-24

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: M4D -TMO Law Office 113 - Docket Clerk

Date In Location: 2006-01-11

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DEES, JENNIFER

Address:

DEES, JENNIFER
515 East Golf Road #201
Arlington Heights, IL 60005
United States

Legal Entity Type: Individual

Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

electronic media, namely, computer software, CD-ROMs and multimedia recordings featuring desktop publishing; databases directed to trade directories in the computer industry featuring information regarding suppliers of graphic design using computers, desktop publishing, computer hardware and software, consulting and training computer programming, computer system repairs, and computer related products; and electronic publications directed to desktop

publishing and graphic design using computers, namely, books, magazines, and manuals featuring articles on computer usage in desktop publishing, graphic design using computers, use of a global communications network, and databases directed to trade directories in the computer industry featuring information regarding suppliers of graphic design using computers, desktop publishing, computer hardware and software, consulting and training, computer programming, computer system repairs, and computer related products

Basis: 1(a)

First Use Date: 1995-12-01

First Use in Commerce Date: 1995-12-20

International Class: 016

Class Status: Active

magazines featuring computer, communications, electronics, and high technology information

Basis: 1(a)

First Use Date: 1995-12-01

First Use in Commerce Date: 1995-12-20

International Class: 042

Class Status: Active

computer and electronic media services, namely, providing on-line bulletin board services in the field of computer based creative professions including graphic design and desktop publishing, namely, computers, desktop publishing using computers, advertising using computers and the global communications network, graphic design, multimedia and its use in relation to the global communications network, the global communications network; providing computer databases directed to trade directories in the computer industry featuring information regarding suppliers of graphic design using computers, desktop publishing, computer hardware and software, consulting and training, computer programming, computer system repairs, and computer related products; and providing a web site of information about computers, desktop publishing, graphic design and word processing

Basis: 1(a)

First Use Date: 1995-12-01

First Use in Commerce Date: 1995-12-20

ADDITIONAL INFORMATION

Disclaimer: "CHICAGO"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-10 - Case File In TIGRS

2000-10-24 - Registered - Principal Register

2000-06-27 - Allowed for Registration - Principal Register (SOU accepted)

2000-06-20 - Statement of use processing complete

2000-04-12 - Amendment to Use filed

2000-06-05 - Assigned To Examiner

Latest Status Info

1999-10-12 - Notice of allowance - mailed

1998-01-21 - Extension Of Time To Oppose Received

1997-12-23 - Published for opposition

1997-11-21 - Notice of publication

1997-10-16 - Approved for Pub - Principal Register (Initial exam)

1997-08-11 - Communication received from applicant

1997-02-13 - Final refusal mailed

1996-08-17 - Communication received from applicant

1996-06-07 - Non-final action mailed

1996-05-10 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

LINDA LOYE

Correspondent

LINDA LOYE
DIGITAL CHICAGO INC
401 N. WABASH AVENUE, SUITE 740
CHICAGO IL 60611

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 420

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:21:01 ET

Serial Number: 75710687 Assignment Information

Registration Number: 2931025

Mark (words only): DIGILINE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-03-08

Filing Date: 1999-05-20

Transformed into a National Application: No

Registration Date: 2005-03-08

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-01-27

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Pfeiffer Vacuum GmbH

Address:

Pfeiffer Vacuum GmbH

Emmeliusstrasse 33

D-35614 Asslar

Fed Rep Germany

Legal Entity Type: Ltd Liab Co

State or Country Where Organized: Fed Rep Germany

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

VACUUM-TIGHT ELECTRICAL DUCTS; VACUUM MEASURING AND TESTING APPARATUS; ELECTRONIC CONTROLLERS AND OPERATING DEVICES FOR VACUUM PUMPS AND VACUUM PUMP STANDS; LEAK DETECTORS FOR VACUUM PUMPS AND VACUUM CONTAINERS; AND RESIDUAL GAS ANALYZERS

Basis: 1(a)**First Use Date:** 2000-06-00**First Use in Commerce Date:** 2000-06-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-07-06 - TEAS Change Of Correspondence Received

2005-03-08 - Registered - Principal Register

2004-11-12 - Law Office Registration Review Completed

2004-11-04 - Assigned To LIE

2004-10-25 - Allowed for Registration - Principal Register (SOU accepted)

2004-10-25 - Statement of use processing complete

2004-10-06 - Amendment to Use filed

2004-10-06 - TEAS Statement of Use Received

2004-04-27 - Extension 5 granted

2004-04-08 - Extension 5 filed

2004-04-22 - Case File In TICRS

2004-04-08 - TEAS Extension Received

2003-11-10 - Extension 4 granted

2003-10-31 - Extension 4 filed

2003-10-31 - TEAS Extension Received

2003-05-21 - Extension 3 granted

2003-04-21 - Extension 3 filed

2003-04-21 - TEAS Extension Received

2002-11-18 - Extension 2 granted

2002-10-29 - Extension 2 filed

2002-10-29 - TEAS Extension Received

2002-07-17 - Extension 1 granted

2002-04-29 - Extension 1 filed

2002-06-19 - PAPER RECEIVED

2002-04-29 - PAPER RECEIVED

2002-03-22 - PAPER RECEIVED

2001-11-20 - Notice of allowance - mailed

2001-09-17 - Reinstated

2001-05-12 - Abandonment - No use statement filed

2001-01-04 - Notice of Allowance canceled

2000-07-04 - Notice of allowance - mailed

2000-04-11 - Published for opposition

2000-03-10 - Notice of publication

2000-01-19 - Assigned To Examiner

1999-12-29 - Approved for Pub - Principal Register (Initial exam)

1999-12-22 - Examiner's amendment mailed

1999-10-14 - Non-final action mailed

1999-10-07 - Assigned To Examiner

1999-09-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

DAVID TOREN

Correspondent

Katrin Lewertoff

Sidley Austin LLP

787 Seventh Avenue

New York NY 10019

Phone Number: 212 839 7366

Fax Number: 212 839 5599

Domestic Representative<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=2931025>

1/16/2007

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
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Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 421

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:21:16 ET

Serial Number: 75405578 Assignment Information

Registration Number: 2280645

Mark (words only): DIGISPEC

Standard Character claim: No

Current Status: A Section 8 affidavit has been accepted.

Date of Status: 2005-03-04

Filing Date: 1997-12-15

Transformed into a National Application: No

Registration Date: 1999-09-28

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2005-10-07

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Digi-Spec Corporation

Address:

Digi-Spec Corporation
3855 WEST DIABLO DRIVE SUITE 11
LAS VEGAS, NV 89118
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

electronic video security devices, namely, motion detectors, date-time titlers and multiplexers

Basis: 1(a)

First Use Date: 1985-00-00

First Use in Commerce Date: 1986-00-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-10-07 - Section 15 acknowledged
2005-10-07 - Assigned To Paralegal
2005-09-01 - Section 15 affidavit received
2005-09-01 - PAPER RECEIVED
2005-03-04 - Section 8 (6-year) accepted
2005-01-18 - Section 8 (6-year) filed
2005-01-18 - PAPER RECEIVED
1999-09-28 - Registered - Principal Register
1999-07-06 - Published for opposition
1999-06-04 - Notice of publication
1999-03-29 - Approved for Pub - Principal Register (Initial exam)
1999-03-01 - Communication received from applicant
1998-08-31 - Non-final action mailed
1998-08-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
JOHN E. WAGNER

Correspondent
JOHN E. WAGNER
LAW OFFICES OF JOHN E. WAGNER
3541 OCEAN VIEW BLVD.,
GLENDALE, CA 91208

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 422

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:21:32 ET

Serial Number: 75978693 Assignment Information

Registration Number: 2365325

Mark



digitalPersona

(words only): DIGITALPERSONA

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-09-30

Filing Date: 1997-04-24

Transformed into a National Application: No

Registration Date: 2000-07-04

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2006-09-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Digital Persona Inc.

Address:

Digital Persona Inc.
720 Bay Road
Redwood City, CA 94063
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer hardware; computer software for use in the electronic identification and verification of biometric data, security applications, database access, and digital identification and authentication

Basis: 1(a)

First Use Date: 1998-07-16

First Use in Commerce Date: 1998-07-16

ADDITIONAL INFORMATION

Design Search Code(s):

26.01.02 - Circles, plain single line; Plain single line circles

26.11.21 - Rectangles that are completely or partially shaded

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-30 - Section 8 (6-year) accepted & Section 15 acknowledged

2006-09-19 - TEAS Change Of Correspondence Received

2006-09-13 - Assigned To Paralegal

2006-06-30 - Section 8 (6-year) and Section 15 Filed

2006-06-30 - TEAS Section 8 & 15 Received

2006-03-21 - Case File In TICRS

2005-02-18 - TEAS Change Of Correspondence Received

2005-02-18 - TEAS Change Of Correspondence Received

2003-07-16 - TEAS Change Of Correspondence Received

2000-07-04 - Registered - Principal Register

2000-04-20 - Allowed for Registration - Principal Register (SOU accepted)

2000-04-17 - Assigned To Examiner

2000-04-06 - Statement of use processing complete

2000-04-06 - Extension 1 granted

1999-12-22 - Extension 1 filed
1999-12-22 - Amendment to Use filed
2000-04-08 - Divisional processing completed
1999-06-29 - Notice of allowance - mailed
1998-12-24 - Extension Of Time To Oppose Received
1998-11-24 - Published for opposition
1998-10-23 - Notice of publication
1998-08-26 - Approved for Pub - Principal Register (Initial exam)
1998-06-15 - Communication received from applicant
1997-12-15 - Non-final action mailed
1997-12-08 - Assigned To Examiner
1997-12-02 - Assigned To Examiner
1997-11-28 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
ALLYN TAYLOR

Correspondent
Allyn Taylor, Esq.
DLA Piper US LLP
2000 University Avenue
East Palo Alto CA 94303-2215
Phone Number: (650) 833-2000
Fax Number: (650) 833-2001

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 423

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:21:46 ET

Serial Number: 75281369 Assignment Information

Registration Number: 2639897

Mark



digitalPersona

(words only): DIGITALPERSONA

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-10-22

Filing Date: 1997-04-24

Transformed into a National Application: No

Registration Date: 2002-10-22

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-04-28

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Digital Persona Inc.

Address:
Digital Persona Inc.
805 Veterans Blvd., Suite 301
Redwood City, CA 94063
United States
Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

CARD READERS; COMPUTER SOFTWARE FOR USE IN THE ELECTRONIC IDENTIFICATION AND VERIFICATION OF ELECTRONIC COMMERCE, ELECTRONIC MAIL, BANKING SERVICES, AND REMOTE SYSTEM ACCESS

Basis: 1(a)

First Use Date: 2000-10-05

First Use in Commerce Date: 2000-10-05

International Class: 042

Class Status: Active

computer software design for others; design and development of computer systems for use in the electronic verification of biometric data, electronic commerce, electronic mail, banking services, security applications, and digital identification; consultation services related to the same

Basis: 1(a)

First Use Date: 1998-07-16

First Use in Commerce Date: 1998-07-16

ADDITIONAL INFORMATION

Design Search Code(s):

26.01.02 - Circles, plain single line; Plain single line circles

26.11.21 - Rectangles that are completely or partially shaded

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-19 - TEAS Change Of Correspondence Received

2005-02-18 - TEAS Change Of Correspondence Received

2005-02-18 - TEAS Change Of Correspondence Received

2004-07-05 - TEAS Change Of Correspondence Received

2004-03-11 - Section 7 correction issued

2003-07-16 - TEAS Change Of Correspondence Received

2003-05-30 - Section 7 amendment filed

2003-05-30 - PAPER RECEIVED

2003-04-11 - Section 7 correction issued

2003-01-30 - Section 7 amendment filed

2003-01-30 - PAPER RECEIVED

2002-10-22 - Registered - Principal Register

2002-07-28 - Allowed for Registration - Principal Register (SOU accepted)

2002-07-25 - Assigned To Examiner

2002-07-24 - Statement of use processing complete

2002-06-27 - Amendment to Use filed

2002-07-01 - PAPER RECEIVED

2002-01-17 - Extension 5 granted

2001-12-28 - Extension 5 filed

2001-07-12 - Extension 4 granted

2001-06-29 - Extension 4 filed

2001-03-23 - Extension 3 granted

2000-12-23 - Extension 3 filed

2000-08-25 - Extension 2 granted

2000-06-29 - Extension 2 filed

2000-04-06 - Extension 1 granted

1999-12-22 - Extension 1 filed

2000-04-08 - Divisional processing completed

1999-12-22 - Divisional request received

1999-06-29 - Notice of allowance - mailed

1998-12-24 - Extension Of Time To Oppose Received

1998-11-24 - Published for opposition

1998-10-23 - Notice of publication

1998-08-26 - Approved for Pub - Principal Register (Initial exam)

1998-06-15 - Communication received from applicant

1997-12-15 - Non-final action mailed

1997-12-08 - Assigned To Examiner

1997-12-02 - Assigned To Examiner

1997-11-28 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

ALLYN TAYLOR

Correspondent

Allyn Taylor, Esq.

DLA Piper US LLP

2000 University Avenue

East Palo Alto CA 94303-2215

Phone Number: (650) 833-2000

Fax Number: (650) 833-2001

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
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Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 424

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:22:00 ET

Serial Number: 75239767 Assignment Information

Registration Number: 2306795

Mark (words only): DIGITALRADAR

Standard Character claim: No

Current Status: Registration canceled under Section 8.

Date of Status: 2006-10-14

Filing Date: 1997-02-07

Transformed into a National Application: No

Registration Date: 2000-01-11

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-05-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. CONNECTIX CORPORATION

Address:

CONNECTIX CORPORATION

2655 Campus Drive

San Mateo, CA 94403

United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Section 8 - Cancelled

video cameras; video and or audio input devices for computers, namely, cameras and/or microphones; hardware and software for creating still and video images and uploading or downloading still and video images to/from web pages, wide area computer network sites and local computers and recording devices; computer software for acquiring, capturing, creating, manipulating, converting, transferring, cataloging, presenting and storing still and video images;

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=2306795>

1/16/2007

computer software and hardware/software system comprising computers, video cameras and/or microphones and software for monitoring areas and events captured by the input devices, detecting motion, sound or predefined activity or images, for creating, storing and logging video clips at defined intervals, for playback of images and events, for allowing remote access and control of monitoring functions, and for alerting users and monitoring stations by E-mail, telephone, fax or pager, all of the foregoing using digital technology, and instructional manuals sold as a unit therewith

Basis: 1(a)

First Use Date: 1997-07-17

First Use in Commerce Date: 1997-07-25

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-10-14 - Canceled Section 8 (6-year)

2006-05-30 - Case File In TIGRS

2005-02-18 - TEAS Change Of Correspondence Received

2003-07-24 - TEAS Change Of Correspondence Received

2000-01-11 - Registered - Principal Register

1998-05-14 - Extension Of Time To Oppose Received

1998-04-14 - Published for opposition

1998-03-13 - Notice of publication

1998-02-05 - Approved for Pub - Principal Register (Initial exam)

1998-02-05 - Amendment to Use approved

1997-12-11 - Amendment to use processing complete

1997-09-29 - Amendment to Use filed

1997-12-11 - Previous allowance count withdrawn

1997-10-31 - Notice of publication

1997-09-27 - Approved for Pub - Principal Register (Initial exam)

1997-09-25 - Examiner's amendment mailed

1997-09-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

ALLYN TAYLOR

Correspondent

Allyn Taylor

DLA Piper Rudnick Gray Cary US LLP

2000 University Avenue

East Palo Alto CA 94303-2248

Phone Number: 650-833-2170

Fax Number: 650-833-2001

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 425

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:22:15 ET

Serial Number: 75783711 Assignment Information

Registration Number: 2447195

Mark (words only): DIGITAL MERCHANDISER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-04-24

Filing Date: 1999-08-24

Transformed into a National Application: No

Registration Date: 2001-04-24

Register: Supplemental

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-11-13

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Clarity Visual Systems, Inc.

Address:

Clarity Visual Systems, Inc.
9025 S.W. Hillman Court, Suite 3122
Wilsonville, OR 97070
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Oregon

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital signage systems consisting of electronic image display monitors, computer hardware and computer software for creating and displaying still images and video images as banners for billboard message display and large-scale advertising uses, and instructional manuals sold as a unit therewith

Basis: 1(a)

First Use Date: 1999-04-13

First Use in Commerce Date: 1999-04-13

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-11-13 - Case File In TICRS

2006-10-11 - Assignment Of Ownership Not Updated Automatically

2006-09-13 - Assignment Of Ownership Not Updated Automatically

2001-04-24 - Registered - Supplemental Register

2001-01-12 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2000-08-24 - Communication received from applicant

2000-02-25 - Non-final action mailed

2000-02-16 - Assigned To Examiner

2000-02-07 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary W Glisson

Correspondent

GARY W GLISSON

STOEL RIVES LLP

900 SW FIFTH AVE STE 2600

PORTLAND OR 97204

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 426

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:22:29 ET

Serial Number: 75207207 Assignment Information

Registration Number: 2193088

Mark (words only): DIGITAL TOPSIDE

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2005-02-16

Filing Date: 1996-12-03

Transformed into a National Application: No

Registration Date: 1998-10-06

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 834 -Post Registration

Date In Location: 2005-02-16

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. ALLIED INNOVATIONS LLC

Address:
ALLIED INNOVATIONS LLC
7215 BERMUDA ROAD
LAS VEGAS, NV 891194304
United States

Legal Entity Type: LIMITED LIABILITY CORPORATION
State or Country Where Organized: Nevada

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

electronic devices for controlling and reading functions of a jetted tub or spa

Basis: 1(a)

First Use Date: 1996-11-07

First Use in Commerce Date: 1996-11-07

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-02-16 - Section 8 (6-year) accepted & Section 15 acknowledged

2004-08-26 - Post Registration action mailed Section 8 & 15

2004-07-16 - Section 8 (6-year) and Section 15 Filed

2003-02-10 - PAPER RECEIVED

1998-10-06 - Registered - Principal Register

1998-07-14 - Published for opposition

1998-06-12 - Notice of publication

1998-04-10 - Approved for Pub - Principal Register (Initial exam)

1998-01-26 - Communication received from applicant

1997-10-17 - Assigned To Examiner

1997-07-21 - Non-final action mailed

1997-07-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

GREGORY S. LAMPERT

Correspondent

GREGORY S. LAMPERT

CHRISTIE, PARKER & HALE, LLP

POST OFFICE BOX 7068

PASADENA, CA 91109-7068

OPPOSITION NO. 91163719

Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

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EXHIBIT 427

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:22:43 ET

Serial Number: 75196530 Assignment Information

Registration Number: 2265314

Mark (words only): GODIGITAL

Standard Character claim: No

Current Status: A Section 8 affidavit has been accepted.

Date of Status: 2005-02-14

Filing Date: 1996-11-12

Transformed into a National Application: No

Registration Date: 1999-07-27

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2005-03-01

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. GoDigital Networks Corporation

Address:

GoDigital Networks Corporation
41652 Boscell Road
Fremont, CA 94538
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer hardware for telecommunications

Basis: 1(a)

First Use Date: 1996-11-19

First Use in Commerce Date: 1996-11-19

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-02-14 - Section 8 (6-year) accepted

2005-02-01 - Section 8 (6-year) filed

2005-02-01 - TEAS Section 8 Received

1999-07-27 - Registered - Principal Register

1999-05-14 - Allowed for Registration - Principal Register (SOU accepted)

1999-05-14 - Assigned To Examiner

1999-04-30 - Statement of use processing complete

1999-04-05 - Amendment to Use filed

1999-02-09 - Notice of allowance - mailed

1998-01-05 - Extension Of Time To Oppose Received

1997-12-09 - Published for opposition

1997-11-07 - Notice of publication

1997-09-22 - Approved for Pub - Principal Register (Initial exam)

1997-09-17 - Examiner's amendment mailed

1997-06-30 - Non-final action mailed

1997-06-19 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mark S. Warnick

Correspondent

MARK S. WARNICK

WILSON SONSINI GOODRICH & ROSATI

650 PAGE MILL RD
PALO ALTO, CA 94304-1050

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
)
Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 428

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:22:56 ET

Serial Number: 75749516 Assignment Information

Registration Number: 2412073

Mark (words only): DIGIPLEX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2000-12-12

Filing Date: 1999-07-13

Transformed into a National Application: No

Registration Date: 2000-12-12

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-07-25

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. GE SECURITY, INC.

Address:
GE SECURITY, INC.
300 WEST 6TH STREET, SUITE 1850
AUSTIN, TX 78701
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
COMMUNICATION CONTROL HARDWARE, NAMELY, KEYPAD CONTROLLERS, MATRIX SWITCHERS, MULTIPLEXERS, DIGITAL VIDEO RECORDERS, INTEGRATED PAN-TILT-ZOOM DOMES, REMOTE VIDEO CONTROLLERS, RECEIVERS, ELECTRONIC ALARM MANAGEMENT CONTROLS AND TRIGGERS, AND VIDEO TRANSMISSION DEVICES SOLD SEPARATELY OR AS PART OF A SYSTEM FOR OPERATING

CLOSED CIRCUIT CAMERAS

Basis: 1(a)

First Use Date: 1979-00-00

First Use in Commerce Date: 1979-00-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-07-25 - Case File In TICRS

2006-07-12 - TEAS Section 8 & 15 Received

2006-04-04 - Attorney Revoked And/Or Appointed

2006-04-04 - TEAS Revoke/Appoint Attorney Received

2000-12-12 - Registered - Principal Register

2000-09-19 - Published for opposition

2000-08-18 - Notice of publication

2000-07-19 - Approved for Pub - Principal Register (Initial exam)

2000-06-13 - Communication received from applicant

1999-12-13 - Non-final action mailed

1999-12-01 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Meg Campbell, Catherine Mennenga, Sean Merrill, Kathryn Park

Correspondent

Meg Campbell

General Electric Company

3135 Easton Turnpike

Fairfield CT 06828

Phone Number: 203-373-3595

Fax Number: 203-373-2181

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
)
Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 429

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:23:08 ET

Serial Number: 75365076 Assignment Information

Registration Number: 2212718

Mark (words only): DIGISTITCH

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2005-02-07

Filing Date: 1997-09-27

Transformed into a National Application: No

Registration Date: 1998-12-22

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 834 -Post Registration

Date In Location: 2005-02-07

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Warsinski, Todd P.

Address:

Warsinski, Todd P.
528 Charlotte Ave NW
Grand Rapids, MI 49504
United States

Legal Entity Type: Individual

Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer software used to create designs or patterns

Basis: 1(a)

First Use Date: 1995-12-20

First Use in Commerce Date: 1995-12-20

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-02-07 - Section 8 (6-year) accepted & Section 15 acknowledged
- 2004-12-09 - Section 8 (6-year) and Section 15 Filed
- 2004-12-09 - TEAS Section 8 & 15 Received
- 1998-12-22 - Registered - Principal Register
- 1998-09-29 - Published for opposition
- 1998-08-28 - Notice of publication
- 1998-07-23 - Approved for Pub - Principal Register (Initial exam)
- 1998-06-22 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent
TODD P WARSINSKI
528 CHARLOTTE AVE NW
GRAND RAPIDS MI 49504

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 430

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:23:20 ET

Serial Number: 75400124 Assignment Information

Registration Number: 2244407

Mark (words only): VIVIPRINT DIGIPHOTO

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2005-02-05

Filing Date: 1997-12-04

Transformed into a National Application: No

Registration Date: 1999-05-11

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 837 -Post Registration

Date In Location: 2005-02-14

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. VIVITAR CORPORATION

Address:
VIVITAR CORPORATION
520 GRAVES AVENUE
OXNARD, CA 93030
United States

Legal Entity Type: Corporation
State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
optical scanners and photographic printers
Basis: 1(a)
First Use Date: 1997-10-27
First Use in Commerce Date: 1997-10-27

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-12 - Attorney Revoked And/Or Appointed

2006-09-12 - TEAS Revoke/Appoint Attorney Received

2004-12-29 - Section 8 (6-year) and Section 15 Filed

2005-02-05 - Section 8 (6-year) accepted & Section 15 acknowledged

2004-12-29 - Section 8 (6-year) and Section 15 Filed

2004-12-29 - TEAS Section 8 & 15 Received

2003-08-08 - TEAS Change Of Correspondence Received

1999-05-11 - Registered - Principal Register

1999-02-16 - Published for opposition

1999-01-15 - Notice of publication

1998-11-21 - Approved for Pub - Principal Register (Initial exam)

1998-11-17 - Examiner's amendment mailed

1998-09-28 - Non-final action mailed

1998-09-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Larry E. Severin

Correspondent

Larry E. Severin
Wang, Hartmann & Gibbs, PC
1301 Dove St., #1050
Newport Beach CA 92660
Phone Number: (949) 833-8483
Fax Number: (949) 833-2281

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 431

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:24:55 ET

Serial Number: 75579303 Assignment Information

Registration Number: 2871906

Mark (words only): DIGILENS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-08-10

Filing Date: 1998-10-29

Transformed into a National Application: No

Registration Date: 2004-08-10

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-08-16

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. SBG LABS, INC.

Address:
SBG LABS, INC.
1288 HAMMERWOOD AVENUE
SUNNYVALE, CA 94089
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

OPTICAL COMPONENTS, NAMELY, ELECTRICALLY SWITCHABLE HOLOGRAPHIC OPTICAL ELEMENTS, ESHOES, FOR SHAPING AND TRANSMITTING LIGHT IN A VARIETY OF APPLICATIONS; OPTICAL MIRRORS; LENSES, NAMELY, ELECTRICALLY SWITCHABLE LENSES, HOLOGRAPHIC LENSES AND OPTICAL LENSES, EXCLUDING CONTACT LENSES FOR VISION CORRECTION;

HOLOGRAMS; MICROPROCESSORS AND MICROCONTROLLERS, EYEGLASSES AND VISORS FOR VIEWING COMPUTER AND TV IMAGES; MONOCLES; BINOCULARS; VIRTUAL REALITY GOGGLES, DISPLAYS AND VIEWERS; HEAD-MOUNTED OPTICAL DISPLAYS; HEAD-UP OPTICAL DISPLAYS; NIGHT VISION GLASSES; VIEWFINDERS; OPTICAL GUNSIGHTS; PERISCOPES; VIDEO AND COMPUTER PROJECTORS; REAR PROJECTION DISPLAYS; MICRODISPLAYS; DIGITAL CAMERAS; IMAGING CHIPS; COMPUTER, VIDEO AND TV DISPLAYS; WEARABLE COMPUTING DISPLAYS; TELECOMMUNICATION DEVICE DISPLAYS

Basis: 1(a)

First Use Date: 1999-07-01

First Use in Commerce Date: 1999-07-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-01 - Review Of Correspondence Complete

2004-10-01 - FAX RECEIVED

2004-09-30 - FAX RECEIVED

2004-08-10 - Registered - Principal Register

2004-05-11 - Allowed for Registration - Principal Register (SOU accepted)

2004-04-27 - Assigned To Examiner

2004-04-26 - Statement of use processing complete

2004-04-26 - Extension 4 granted

2004-04-13 - Amendment to Use filed

2004-04-13 - Extension 4 filed

2004-04-21 - Case File In TICRS

2004-04-13 - TEAS Statement of Use Received

2004-04-13 - TEAS Extension Received

2003-10-16 - Extension 3 granted

2003-10-16 - Extension 3 filed

2003-10-16 - TEAS Extension Received

2003-07-08 - Extension 2 granted
2003-04-16 - Extension 2 filed
2003-04-16 - TEAS Extension Received
2002-10-17 - Extension 1 granted
2002-09-25 - Extension 1 filed
2002-09-27 - PAPER RECEIVED
2002-09-25 - TEAS Change Of Correspondence Received
2002-09-25 - TEAS Extension Received
2002-04-16 - Notice of allowance - mailed
2002-01-22 - Published for opposition
2002-01-02 - Notice of publication
2001-09-05 - Approved for Pub - Principal Register (Initial exam)
2001-05-31 - Communication received from applicant
1999-11-05 - Letter of suspension mailed
1999-10-05 - Communication received from applicant
1999-05-18 - Non-final action mailed
1999-05-18 - Assigned To Examiner
1999-05-03 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

James P. Dugan

Correspondent

James P. Dugan

Perkins Coie LLP

Suite 4800

1201 Third Avenue

Seattle WA 98101

Phone Number: (206) 583-8888

Fax Number: (206) 583-8500

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 432

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:25:10 ET

Serial Number: 75817845 Assignment Information

Registration Number: 2579461

Mark (words only): DIMAGE SCAN ELITE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-06-11

Filing Date: 1999-10-07

Transformed into a National Application: No

Registration Date: 2002-06-11

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-06-26

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Minolta Kabushiki Kaisha (Minolta Co., Ltd.)

Address:

Minolta Kabushiki Kaisha (Minolta Co., Ltd.)
Osaka Kokusai Building, 3-13, 2-chome Azuchi-machi, Chuo-ku
Osaka-shi, Osaka, 541-8556
Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

DIGITAL CAMERAS, SCANNERS AND PRINTERS USED IN CONNECTION WITH DIGITAL PHOTOGRAPHY AND GRAPHICS; PARTS AND FITTINGS FOR ALL OF THE AFOREMENTIONED GOODS

Basis: 1(a)

First Use Date: 1999-11-08

First Use in Commerce Date: 1999-11-08

ADDITIONAL INFORMATION

Disclaimer: "SCAN"**Prior Registration Number(s):**
2181825

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-01-13 - TEAS Change Of Correspondence Received

2002-06-11 - Registered - Principal Register

2001-12-06 - Allowed for Registration - Principal Register (SOU accepted)

2001-10-12 - Assigned To Examiner

2001-09-28 - Statement of use processing complete

2001-09-17 - Amendment to Use filed

2001-06-19 - Notice of allowance - mailed

2001-03-27 - Published for opposition

2001-03-14 - Notice of publication

2000-09-05 - Approved for Pub - Principal Register (Initial exam)

2000-08-23 - Examiner's amendment mailed

2000-04-24 - Communication received from applicant

2000-03-13 - Non-final action mailed

2000-03-13 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
COLLEEN C. BUTLER**Correspondent**
Nanette M. Norton
Brinks Hofer Gilson & Lione

P.O. Box 10395
Chicago IL 60610
Phone Number: 312-321-4200
Fax Number: 312-321-4299

Domestic Representative
BRINKS HOFER GILSON & LIONE

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT **433**

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:25:26 ET

Serial Number: 75767212 Assignment Information

Registration Number: 2472233

Mark (words only): SETTING THE STANDARD IN DIGITAL PRINTING

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-07-24

Filing Date: 1999-08-03

Transformed into a National Application: No

Registration Date: 2001-07-24

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2001-08-17

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. VUTEk Inc.

Address:

VUTEk Inc.
189 Waukegan Street
Meredith, NH 032536022
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

SUPER WIDE FORMAT INK JET PRINTERS FOR BUSINESS AND COMMERCIAL APPLICATIONS, ADVERTISING, BILLBOARDS, SIGNS, BANNERS, POSTERS, MURALS, DISPLAYS AND GRAPHICS

Basis: 1(a)

First Use Date: 1999-10-00

First Use in Commerce Date: 1999-10-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-22 - TEAS Change Of Correspondence Received

2001-07-24 - Registered - Principal Register

2001-03-26 - Allowed for Registration - Principal Register (SOU accepted)

2001-03-26 - Assigned To Examiner

2001-03-16 - Statement of use processing complete

2001-02-20 - Amendment to Use filed

2000-08-22 - Notice of allowance - mailed

2000-05-30 - Published for opposition

2000-04-28 - Notice of publication

2000-03-30 - Approved for Pub - Principal Register (Initial exam)

2000-03-29 - Previous allowance count withdrawn

2000-03-28 - Approved for Pub - Principal Register (Initial exam)

2000-03-22 - Examiner's amendment mailed

2000-01-03 - Non-final action mailed

1999-12-23 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

David O. Johanson

Correspondent

Susan L. Heller

Greenberg Traurig, LLP

2450 Colorado Avenue, Suite 400E

Santa Monica CA 90404
Phone Number: (310) 586-7700
Fax Number: (310) 586-7800

OPPOSITION NO. 91163719

Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

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EXHIBIT **434**

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:25:40 ET

Serial Number: 75372253 Assignment Information

Registration Number: 2254974

Mark (words only): DIGICALL

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2005-01-08

Filing Date: 1997-10-14

Transformed into a National Application: No

Registration Date: 1999-06-22

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 834 -Post Registration

Date In Location: 2005-01-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Fleetwood Group, Inc.

Address:

Fleetwood Group, Inc.
Post Office Box 1259
Holland, MI 494221259
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Michigan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER HARDWARE AND COMPUTER SOFTWARE FOR PROVIDING PRE-RECORDED INTERACTIVE LESSONS FOR STUDENTS FOR TEACHING LANGUAGES

Basis: 1(a)

First Use Date: 1975-01-01

First Use in Commerce Date: 1975-01-01

ADDITIONAL INFORMATION

Prior Registration Number(s):
1734519

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-01-08 - Section 8 (6-year) accepted & Section 15 acknowledged

2004-12-06 - Section 8 (6-year) and Section 15 Filed

2004-12-06 - PAPER RECEIVED

1999-06-22 - Registered - Principal Register

1999-03-30 - Published for opposition

1999-02-26 - Notice of publication

1999-01-06 - Approved for Pub - Principal Register (Initial exam)

1998-11-23 - Communication received from applicant

1998-06-19 - Non-final action mailed

1998-06-05 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
FREDERICK S BURKHART

Correspondent
FREDERICK S BURKHART
VAN DYKE GARDNER LINN & BURKHART, LLP
PO BOX 888695
GRAND RAPIDS MI 49588-8695

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS
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EXHIBIT 435

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:25:54 ET

Serial Number: 75798340 Assignment Information

Registration Number: 2842058

Mark (words only): DIGIMAKER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-05-18

Filing Date: 1999-09-08

Transformed into a National Application: No

Registration Date: 2004-05-18

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-06-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DIGIMAKER AS

Address:
DIGIMAKER AS
POSTBOKS 292
KRISTIENSEN S 4663
Norway

Legal Entity Type: Corporation
State or Country of Incorporation: Norway

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for use in creating websites, preparing text and graphics material for addition to websites, for use in posting such material on existing websites, and in registering such website content with Internet search engines

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: 199809285

Foreign Registration Number: 199129

Foreign Registration Date: 1999-09-01

Country: Norway

Foreign Filing Date: 1998-10-19

Foreign Expiration Date: 2009-09-01

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-05-18 - Registered - Principal Register

2004-01-08 - Sec. 44(E) Claim Added

2004-01-08 - ITU claim deleted

2004-04-02 - Notice of Allowance canceled

2004-03-03 - Case File In TICRS

2004-02-18 - Petition To Director - Granted

2004-01-08 - Petition To Director Received

2004-01-08 - PAPER RECEIVED

2003-11-13 - Extension 5 granted

2003-10-15 - Extension 5 filed

2003-10-20 - PAPER RECEIVED

2003-06-03 - Extension 4 granted

2003-04-16 - Extension 4 filed

2003-04-21 - PAPER RECEIVED

2002-11-25 - Extension 3 granted

2002-10-16 - Extension 3 filed

2002-10-21 - PAPER RECEIVED

2002-09-25 - Extension 2 granted

2002-04-17 - Extension 2 filed
2002-09-25 - Petition To Revive-Granted
2002-05-06 - Petition To Revive-Received
2002-09-12 - Abandonment - No use statement filed
2001-10-25 - Extension 1 granted
2001-10-11 - Extension 1 filed
2001-04-17 - Notice of allowance - mailed
2001-01-23 - Published for opposition
2000-12-22 - Notice of publication
2000-11-21 - Approved for Pub - Principal Register (Initial exam)
2000-08-28 - Communication received from applicant
2000-02-28 - Non-final action mailed
2000-02-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John E McKie

Correspondent

JOHN E MCKIE
LADAS & PARRY
224 SOUTH MICHIGAN AVENUE
CHICAGO ILLINOIS 60604

Domestic Representative

JOHN E MCKIE

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
)
Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 436

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:26:05 ET

Serial Number: 75477848 Assignment Information

Registration Number: 2339208

Mark (words only): DIGISTAT

Standard Character claim: No

Current Status: Registration canceled under Section 8.

Date of Status: 2007-01-06

Filing Date: 1998-05-01

Transformed into a National Application: No

Registration Date: 2000-04-04

Register: Principal

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-04-18

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Island Automated Medical Services, Inc.

Address:

Island Automated Medical Services, Inc.
5999 Central Avenue, Suite 300
St. Petersburg, FL 33710
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

GOODS AND/OR SERVICES

International Class: 009

Class Status: Section 8 - Cancelled

Computer software for use in recognizing incoming written and typed characters for inputting into database and displaying on computer terminal

Basis: 1(a)

First Use Date: 1998-11-01

First Use in Commerce Date: 1998-11-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2007-01-06 - Canceled Section 8 (6-year)

2006-04-18 - Case File In TICRS

2004-12-20 - TEAS Change Of Correspondence Received

2000-04-04 - Registered - Principal Register

2000-01-31 - Allowed for Registration - Principal Register (SOU accepted)

1999-08-27 - Statement of use processing complete

1999-08-27 - Amendment to Use filed

1999-07-06 - Notice of allowance - mailed

1999-04-13 - Published for opposition

1999-03-12 - Notice of publication

1999-01-15 - Approved for Pub - Principal Register (Initial exam)

1998-12-29 - Communication received from applicant

1998-12-17 - Non-final action mailed

1998-12-03 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

JOSEPH C MASON JR

Correspondent

Anne S. Mason

Mason Law, P.L.

4755 East Bay Drive

Clearwater FL 33764

Phone Number: 727-538-3800

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
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DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 437

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:26:22 ET

Serial Number: 75129973 Assignment Information

Registration Number: 2087435

Mark (words only): DIGITALWRITER

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2003-09-17

Filing Date: 1996-07-03

Transformed into a National Application: No

Registration Date: 1997-08-12

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-11-26

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. A.T.X. International, Inc.

Address:

A.T.X. International, Inc.

1 ALBION RD

LINCOLN, RI 02865

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

stylus for use with a personal digital assistant (PDA) and refills therefore

Basis: 1(a)

First Use Date: 1996-09-25

First Use in Commerce Date: 1996-09-25

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-12-19 - TEAS Change Of Correspondence Received

2003-09-17 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-07-16 - Section 8 (6-year) and Section 15 Filed

2003-07-16 - TEAS Section 8 & 15 Received

1997-08-12 - Registered - Principal Register

1997-05-20 - Published for opposition

1997-04-18 - Notice of publication

1997-02-26 - Approved for Pub - Principal Register (Initial exam)

1997-02-26 - Amendment to Use approved

1997-02-11 - Assigned To Examiner

1997-01-07 - Amendment to use processing complete

1996-11-05 - Amendment to Use filed

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Frank J. Colucci

Correspondent

Frank J. Colucci
Colucci & Umans
218 East 50th Street
New York NY 10022
Phone Number: 212-935-5700
Fax Number: 212-935-5728

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 438

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:26:34 ET

Serial Number: 75982700 Assignment Information

Registration Number: 2717743

Mark



(words only): DVD

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-05-20

Filing Date: 1998-09-28

Transformed into a National Application: No

Registration Date: 2003-05-20

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-05-27

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Time Warner Entertainment Company, L.P.

Composed Of:

American Television and Communications Corporation, a Delaware corporation Capital Cablevision Systems, Inc., a New York corporation Memphis CATV, Inc., a New York corporation People's Cable Corporation, a New York corporation Time Warner O

Address:

Time Warner Entertainment Company, L.P.

75 Rockefeller Plaza
New York, NY 10019
United States

Legal Entity Type: Limited Partnership

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital versatile discs featuring music, comedy, drama, action, adventure, and/or animation

Basis: 1(a)

First Use Date: 1997-12-00

First Use in Commerce Date: 1997-12-00

ADDITIONAL INFORMATION

Disclaimer: "DVD"

Design Search Code(s):

16.01.05 - Albums, record; Compact discs (CDs); DVDs; Digital versatile discs or digital video discs (DVDs);
Phonograph records; Record albums; Records, phonograph

26.03.02 - Ovals, plain single line; Plain single line ovals

26.03.21 - Ovals that are completely or partially shaded

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-11-11 - TEAS Change Of Correspondence Received

2003-05-20 - Registered - Principal Register

2003-03-20 - Allowed for Registration - Principal Register (SOU accepted)

2003-02-20 - Communication received from applicant

2003-02-24 - Communication received from applicant

2003-02-24 - PAPER RECEIVED

2002-08-20 - Non-final action mailed

2002-08-19 - Assigned To Examiner

2002-07-02 - Statement of use processing complete

2001-11-28 - Amendment to Use filed

2002-07-02 - Divisional processing completed

2001-11-28 - Divisional request received

2001-08-10 - Extension 1 granted

2001-05-28 - Extension 1 filed

2002-06-20 - Petition To Revive-Granted

2001-11-12 - Petition To Revive-Received

2001-09-09 - Abandonment - No use statement filed

2000-11-28 - Notice of allowance - mailed

2000-09-05 - Published for opposition

2000-08-04 - Notice of publication

2000-07-19 - Approved for Pub - Principal Register (Initial exam)

2000-07-14 - Examiner's amendment mailed

2000-06-27 - Petition To Revive-Granted

2000-02-01 - Petition To Revive-Received

2000-01-04 - Abandonment - Failure To Respond Or Late Response

1999-05-04 - Non-final action mailed

1999-04-26 - Assigned To Examiner

1999-04-07 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

MARK I. PEROFF

Correspondent

Mark I. Peroff

Kirkpatrick & Lockhart LLP

599 Lexington Avenue

New York NY 10022-6030

Phone Number: 212-536-3900

Fax Number: 212-536-3901

OPPOSITION NO. 91163719
Serial No. 76/561,585

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 439

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:26:55 ET

Serial Number: 75586992 Assignment Information

Registration Number: 2526206

Mark (words only): DIGITAL POWER PROCESSING

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-01-01

Filing Date: 1998-11-12

Transformed into a National Application: No

Registration Date: 2002-01-01

Register: Supplemental

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-01-17

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Tripath Technology Inc.

Address:

Tripath Technology Inc.
2560 Orchard Parkway
San Jose, CA 95131
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

INTEGRATED CIRCUITS, NAMELY, INTEGRATED CIRCUITS FOR USE AS VOLTAGE CONVERTERS, VOLTAGE REGULATORS, DIGITAL AMPLIFIERS, DIGITAL AUDIO AMPLIFIERS, AND PRINTER HEADS

Basis: 1(a)

First Use Date: 1998-11-00

First Use in Commerce Date: 1998-11-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-12-13 - TEAS Change Of Owner Address Received
2004-12-07 - TEAS Change Of Correspondence Received
2002-01-01 - Registered - Supplemental Register
2001-10-10 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER
2001-07-17 - Communication received from applicant
2001-01-17 - Non-final action mailed
2000-09-12 - Amendment to use processing complete
2000-08-14 - Amendment to Use filed
2000-02-10 - Final refusal mailed
1999-12-01 - Communication received from applicant
1999-06-01 - Non-final action mailed
1999-05-12 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Roger T. Barrett

Correspondent

Francine M. Hanson
WILSON SONSINI GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO CA 94304-1050
Phone Number: 650-493-9300
Fax Number: 650-493-6811

Serial No. 76/561,585

DIGI INTERNATIONAL INC.

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

EXHIBIT 440

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:27:08 ET

Serial Number: 75456283 Assignment Information

Registration Number: 2406739

Mark



(words only): DIGI POWER

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-09-12

Filing Date: 1998-03-25

Transformed into a National Application: No

Registration Date: 2000-11-21

Register: Principal

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2006-09-12

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. FUJINON CORPORATION

Address:

FUJINON CORPORATION
NO. 324, 1-CHOME UETAKE-MACHI, KITA-KU, SAITAMA-SHI
SAITAMA-KEN
Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Lenses for television cameras
Basis: 1(a)
First Use Date: 1998-04-00
First Use in Commerce Date: 1998-04-00

ADDITIONAL INFORMATION

Disclaimer: "POWER"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-12 - Section 8 (6-year) accepted & Section 15 acknowledged
2006-09-12 - Assigned To Paralegal
2006-08-03 - Case File In TICRS
2006-06-23 - Section 8 (6-year) and Section 15 Filed
2006-06-23 - PAPER RECEIVED
2006-03-29 - Automatic Update Of Assignment Of Ownership
2004-11-22 - TEAS Change Of Correspondence Received
2002-09-04 - TEAS Change Of Correspondence Received
2000-11-21 - Registered - Principal Register
2000-09-11 - Allowed for Registration - Principal Register (SOU accepted)
2000-09-08 - Assigned To Examiner
2000-08-31 - Statement of use processing complete
2000-08-31 - Extension 1 granted
2000-07-07 - Amendment to Use filed
2000-07-07 - Extension 1 filed

2000-01-11 - Notice of allowance - mailed
1999-10-19 - Published for opposition
1999-09-17 - Notice of publication
1999-06-24 - Approved for Pub - Principal Register (Initial exam)
1999-06-03 - Examiner's amendment mailed
1999-05-13 - Assigned To Examiner
1998-11-12 - Non-final action mailed
1998-11-08 - Assigned To Examiner
1998-11-05 - Assigned To Examiner
1998-10-29 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

JEFFREY H. KAUFMAN

Correspondent

JEFFREY H. KAUFMAN
OBLON, SPIVAK, MCCLELLAND, MAIER ET.AL
1940 DUKE STREET
ALEXANDRIA, VIRGINIA 22314
Phone Number: (212) 692-1000
Fax Number: (212) 692-1020

Domestic Representative

NIMS, HOWES, COLLISON, HANSEN & LACKERT

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 441

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:27:22 ET

Serial Number: 75436606 Assignment Information

Registration Number: 2406705

Mark (words only): DIGI POWER

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-09-12

Filing Date: 1998-02-18

Transformed into a National Application: No

Registration Date: 2000-11-21

Register: Principal

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2006-09-12

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. FUJINON CORPORATION

Address:

FUJINON CORPORATION
NO. 324, 1-CHOME UETAKE-MACHI, KITA-KU, SAITAMA-SHI
SAITAMA-KEN
Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Lenses for television cameras

Basis: 1(a)

First Use Date: 1998-04-00

First Use in Commerce Date: 1998-04-00

ADDITIONAL INFORMATION

Disclaimer: "POWER"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-12 - Section 8 (6-year) accepted & Section 15 acknowledged

2006-09-12 - Assigned To Paralegal

2006-08-03 - Case File In TICRS

2006-06-23 - Section 8 (6-year) and Section 15 Filed

2006-06-23 - PAPER RECEIVED

2006-03-29 - Automatic Update Of Assignment Of Ownership

2004-11-22 - TEAS Change Of Correspondence Received

2002-09-04 - TEAS Change Of Correspondence Received

2000-11-21 - Registered - Principal Register

2000-09-11 - Allowed for Registration - Principal Register (SOU accepted)

2000-09-08 - Assigned To Examiner

2000-09-07 - Assigned To Examiner

2000-08-31 - Statement of use processing complete

2000-08-31 - Extension 1 granted

2000-07-07 - Amendment to Use filed

2000-07-07 - Extension 1 filed

2000-01-11 - Notice of allowance - mailed

1999-10-19 - Published for opposition

1999-09-17 - Notice of publication

1999-06-24 - Approved for Pub - Principal Register (Initial exam)

1999-06-03 - Examiner's amendment mailed

1999-05-13 - Assigned To Examiner

1998-10-26 - Non-final action mailed

1998-09-28 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

JEFFREY H. KAUFMAN

Correspondent

JEFFREY H. KAUFMAN

OBLON, SPIVAK, CCLELLAND, MAIER ET. AL

1940 DUKE STREET

ALEXANDRIA, VIRGINIA 22314

Phone Number: (212) 692-1000

Fax Number: (212) 692-1020

Domestic Representative

NIMS, HOWES, COLLISON, HANSEN & LACKERT

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 442

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:27:35 ET

Serial Number: 75200225 Assignment Information

Registration Number: 2194673

Mark (words only): DIGITALKER

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-11-18

Filing Date: 1996-11-19

Transformed into a National Application: No

Registration Date: 1998-10-13

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-11-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Drucegrove Limited

Address:

Drucegrove Limited
Unit 12, Abbey Mead Industrial Park Brooker Road
Waltham Abbey, Essex EN 9 1HU
United Kingdom

Legal Entity Type: Corporation

State or Country of Incorporation: United Kingdom

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

electrical and electronic audio and audio-visual messages and announcement apparatus for elevators, elevator lobbies, passenger transit vehicles and passenger transit vehicle stations; accessories and parts for all the aforesaid goods, namely, loudspeakers, wiring, microphones, VDU's, LED's, liquid crystal display devices, dial and key input devices, recorded message storage and replay devices and illuminated indicators and signs

Basis: 44(e)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: 2109115**Foreign Registration Number:** 2109115**Foreign Registration Date:** 1996-08-31**Country:** United Kingdom**Foreign Filing Date:** 1996-08-31**Foreign Expiration Date:** 2006-08-31

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-11-18 - Section 8 (6-year) accepted & Section 15 acknowledged

2004-10-12 - Section 8 (6-year) and Section 15 Filed

2004-10-12 - TEAS Section 8 & 15 Received

1998-10-13 - Registered - Principal Register

1998-07-21 - Published for opposition

1998-06-19 - Notice of publication

1998-04-30 - Approved for Pub - Principal Register (Initial exam)

1998-04-20 - Communication received from applicant

1998-02-18 - Final refusal mailed

1998-02-17 - Assigned To Examiner

1998-01-02 - Communication received from applicant

1997-12-15 - Communication received from applicant

1997-06-10 - Non-final action mailed

1997-06-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John J. Arnott

Correspondent

John J. Arnott
Howison & Arnott, L.L.P.
P.O. Box 741715
Dallas, TX 75374-1715

Domestic Representative

Gregory M. Howison

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS
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EXHIBIT 443

TO APPLICANT'S NOTICE OF RELIANCE

First Use in Commerce Date: 1998-00-00

ADDITIONAL INFORMATION

Foreign Application Number: 97-02243**Foreign Registration Number:** 327814**Foreign Registration Date:** 1998-07-24**Country:** Sweden**Foreign Filing Date:** 1997-03-04**Foreign Expiration Date:** 2008-07-24

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-09 - Review Of Correspondence Complete

2006-08-21 - PAPER RECEIVED

2004-11-16 - Registered - Principal Register

2004-09-20 - Law Office Registration Review Completed

2004-08-27 - Assigned To LIE

2004-08-24 - Allowed for Registration - Principal Register (SOU accepted)

2004-08-24 - Assigned To Examiner

2004-08-23 - Statement of use processing complete

2004-07-16 - Amendment to Use filed

2004-07-26 - Case File In TICRS

2004-07-16 - TEAS Statement of Use Received

2004-02-09 - Extension 3 granted

2004-01-15 - Extension 3 filed

2004-01-15 - TEAS Extension Received

2003-07-29 - Extension 2 granted

2003-07-16 - Extension 2 filed

2003-07-16 - TEAS Extension Received

2003-05-22 - PAPER RECEIVED

2003-03-27 - Extension 1 granted
2003-01-16 - Extension 1 filed
2003-01-16 - TEAS Extension Received
2002-07-16 - Notice of allowance - mailed
2002-04-23 - Published for opposition
2002-04-03 - Notice of publication
2001-10-04 - Approved for Pub - Principal Register (Initial exam)
2001-07-25 - Jurisdiction Restored To Examining Attorney
2001-06-07 - Assigned To Examiner
2001-02-21 - Ex parte appeal - Instituted
2000-06-06 - Final refusal mailed
2000-06-05 - Assigned To Examiner
1999-11-19 - Communication received from applicant
1999-11-15 - Communication received from applicant
1999-05-13 - Non-final action mailed
1998-12-21 - Communication received from applicant
1998-06-16 - Non-final action mailed
1998-06-11 - Assigned To Examiner
1998-05-29 - Assigned To Examiner
1998-05-28 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

LAWRENCE E. ABELMAN

Correspondent

LAWRENCE E. ABELMAN
ABELMAN, FRAYNE & SCHWAB
150 EAST 42ND STREET
NEW YORK NY 10017-5612

Domestic Representative

ABELMAN, FRAYNE & SCHWAB

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
)
Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 444

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:28:47 ET

Serial Number: 75344173 Assignment Information

Registration Number: 2266172

Mark (words only): DIGITAL TIMEPIECE

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-11-05

Filing Date: 1997-08-20

Transformed into a National Application: No

Registration Date: 1999-08-03

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-08-24

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Mark of the Unicorn, Inc.

Address:

Mark of the Unicorn, Inc.
1280 Massachusetts Avenue
Cambridge, MA 02139
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Massachusetts

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer hardware and peripherals for use in amateur and professional recording environments, for synchronizing recording of music, video, audio-visual and multimedia, and instruction manuals, sold together as a unit

Basis: 1(a)

First Use Date: 1997-02-14

First Use in Commerce Date: 1997-02-14

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-08-24 - Case File In TICRS
- 2004-11-05 - Section 8 (6-year) accepted & Section 15 acknowledged
- 2004-09-20 - Section 8 (6-year) and Section 15 Filed
- 2004-09-20 - PAPER RECEIVED
- 1999-08-03 - Registered - Principal Register
- 1999-05-11 - Published for opposition
- 1999-04-09 - Notice of publication
- 1999-02-17 - Approved for Pub - Principal Register (Initial exam)
- 1999-02-11 - Examiner's amendment mailed
- 1998-10-26 - Communication received from applicant
- 1998-04-27 - Non-final action mailed
- 1998-04-22 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
DEBORAH L. BENSON

Correspondent
DEBORAH L. BENSON
HINCKLEY ALLEN & SNYDER LLP
28 STATE STREET
BOSTON MA 02109

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 445

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:29:00 ET

Serial Number: 75055979 Assignment Information

Registration Number: 2185264

Mark (words only): DIGICEIVER

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-01-23

Filing Date: 1996-02-09

Transformed into a National Application: No

Registration Date: 1998-09-01

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-01-27

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. BLAUPUNKT GMBH

Address:

BLAUPUNKT GMBH

Robert-Bosch-Str. 200

Hildesheim D-31139

Fed Rep Germany

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

mobile radio communication equipment, namely, car radios

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: 39533016.5
Foreign Registration Number: 39533016
Foreign Registration Date: 1995-09-25
Country: Fed Rep Germany
Foreign Filing Date: 1995-08-11
Foreign Expiration Date: 2005-08-31

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-10-28 - TEAS Change Of Owner Address Received

2004-01-23 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-11-12 - Section 8 (6-year) and Section 15 Filed

2003-11-12 - TEAS Section 8 & 15 Received

1998-09-01 - Registered - Principal Register

1998-07-09 - Notice of Allowance canceled

1998-05-12 - Notice of allowance - mailed

1997-10-21 - Published for opposition

1997-09-19 - Notice of publication

1997-08-15 - Approved for Pub - Principal Register (Initial exam)

1997-07-28 - Communication received from applicant

1997-04-16 - Letter of suspension mailed

1997-03-06 - Communication received from applicant

1996-04-15 - Unresponsive/Duplicate Paper Received

1996-09-23 - Non-final action mailed

1996-08-28 - Assigned To Examiner

1996-03-20 - Communication received from applicant

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
SCOTT W KELLEY

Correspondent
SCOTT W. KELLEY
KELLY LOWRY & KELLEY, LLP
SUITE 1650
6320 CANOGA AVENUE
WOODLAND HILLS CA 91367
Phone Number: (818)347-7900
Fax Number: (818)340-2859

Domestic Representative
KELLY, BAUERSFELD & LOWRY

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 446

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:29:11 ET

Serial Number: 75011557 Assignment Information

Registration Number: 2184412

Mark (words only): DIGITAL HOME

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-10-27

Filing Date: 1995-10-27

Transformed into a National Application: No

Registration Date: 1998-08-25

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-10-28

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Echelon Corporation

Address:

Echelon Corporation
4015 Miranda Avenue
Palo Alto, CA 95304
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer hardware and software in the nature of control devices for use in residential building automation, and computer development programs, computer hardware, communications transceivers, routers, network management software, and installation software for use in residential building automation

Basis: 1(a)

First Use Date: 1998-03-02**First Use in Commerce Date:** 1998-03-02

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-10-27 - Section 8 (6-year) accepted & Section 15 acknowledged

2004-08-09 - Section 8 (6-year) and Section 15 Filed

2004-08-09 - PAPER RECEIVED

1998-08-25 - Registered - Principal Register

1998-05-19 - Allowed for Registration - Principal Register (SOU accepted)

1998-05-08 - Assigned To Examiner

1998-04-25 - Statement of use processing complete

1998-04-25 - Extension 1 granted

1998-03-23 - Amendment to Use filed

1998-03-23 - Extension 1 filed

1997-09-23 - Notice of allowance - mailed

1997-07-01 - Published for opposition

1997-05-30 - Notice of publication

1997-04-14 - Approved for Pub - Principal Register (Initial exam)

1997-03-26 - Examiner's amendment mailed

1997-02-05 - Communication received from applicant

1996-07-26 - Non-final action mailed

1996-06-26 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

ERIKA BRENNER

BLAKELY SOKOLOFF TAYLOR ZAFMAN

12400 WILSHIRE BLVD, 7TH FL

LOS ANGELES, CA 90025-1030

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
)
Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 447

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:29:24 ET

Serial Number: 75060543 Assignment Information

Registration Number: 2184472

Mark (words only): DIGITAL INSERT

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-10-18

Filing Date: 1996-02-21

Transformed into a National Application: No

Registration Date: 1998-08-25

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-10-21

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. LAN International AB

Address:

LAN International AB
27071 Aliso Creeek Rd., Suite 200
Aliso Viejo, CA 92656
United States

Legal Entity Type: Company

State or Country Where Organized: Sweden

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

software for digital insertion of a video stream on cable television network

Basis: 1(a)

First Use Date: 1996-08-01

First Use in Commerce Date: 1996-08-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-10-18 - Section 8 (6-year) accepted & Section 15 acknowledged
2004-08-27 - Section 8 (6-year) and Section 15 Filed
2004-08-27 - PAPER RECEIVED
1998-08-25 - Registered - Principal Register
1998-06-22 - Allowed for Registration - Principal Register (SOU accepted)
1998-06-19 - Assigned To Examiner
1998-06-05 - Statement of use processing complete
1998-05-22 - Amendment to Use filed
1997-11-25 - Notice of allowance - mailed
1997-09-02 - Published for opposition
1997-08-01 - Notice of publication
1997-07-07 - Approved for Pub - Principal Register (Initial exam)
1997-05-19 - Communication received from applicant
1996-11-12 - Non-final action mailed
1996-09-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

LAN International AB
27071 Aliso Creek Road, Suite 200
Aliso Viejo, CA 92656

Domestic Representative

Gunn, Lee & Miller, P.C.

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 448

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:29:35 ET

Serial Number: 75579682 Assignment Information

Registration Number: 2889389

Mark (words only): DIGITAL IMMUNE SYSTEM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-09-28

Filing Date: 1998-10-30

Transformed into a National Application: No

Registration Date: 2004-09-28

Register: Principal

Law Office Assigned: LAW OFFICE 105

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-10-05

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Symantec Corporation

Address:

Symantec Corporation
20330 Stevens Creek Boulevard
Cupertino, CA 950142132
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer utility software and user manuals supplied therewith

Basis: 1(a)

First Use Date: 1999-05-11

First Use in Commerce Date: 1999-05-11

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL" and "SYSTEM"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-09-28 - Registered - Principal Register

2004-07-30 - Assigned To LIE

2004-07-27 - Law Office Registration Review Completed

2004-07-27 - Assigned To LIE

2004-07-21 - Allowed for Registration - Principal Register (SOU accepted)

2004-07-19 - Statement of use processing complete

2004-06-28 - Amendment to Use filed

2004-06-30 - Case File In TICRS

2004-06-28 - TEAS Statement of Use Received

2003-12-19 - Extension 5 granted

2003-12-19 - Extension 5 filed

2003-12-19 - TEAS Extension Received

2003-06-24 - Extension 4 granted

2003-06-24 - Extension 4 filed

2003-06-24 - TEAS Extension Received

2003-03-24 - Extension 3 granted

2002-12-18 - Extension 3 filed

2002-12-23 - PAPER RECEIVED

2002-07-29 - Extension 2 granted

2002-07-01 - Extension 2 filed

2002-07-05 - PAPER RECEIVED

2002-05-28 - TEAS Change Of Correspondence Received
2002-01-18 - Extension 1 granted
2001-12-17 - Extension 1 filed
2001-07-03 - Notice of allowance - mailed
2001-04-10 - Published for opposition
2001-03-28 - Notice of publication
2000-10-17 - Approved for Pub - Principal Register (Initial exam)
2000-10-04 - Examiner's amendment mailed
2000-09-29 - Assigned To Examiner
2000-07-18 - Communication received from applicant
1999-05-21 - Reinstated
2000-02-13 - Abandonment - Failure To Respond Or Late Response
1999-05-21 - Non-final action mailed
1999-05-13 - Assigned To Examiner
1999-05-03 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

BETH M GOLDMAN

Correspondent

Beth M. Goldman
Heller Ehrman White & McAuliffe LLP
333 Bush Street
San Francisco CA 94104-2878
Phone Number: 415 772 6881
Fax Number: 415 772 6268

OPPOSITION NO. 91163719
Serial No. 76/561,585

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 449

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:29:49 ET

Serial Number: 75509355 Assignment Information

Registration Number: 2520534

Mark (words only): THE THOMAS GUIDE DIGITALEDITION

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-12-18

Filing Date: 1998-06-25

Transformed into a National Application: No

Registration Date: 2001-12-18

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-12-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. RAND MCNALLY & COMPANY

Address:

RAND MCNALLY & COMPANY
8255 NORTH CENTRAL PARK AVENUE
SKOKIE, IL 60076
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer software with an integrated browser for access to a global computer network that permits viewing and modifying street maps, and integrating street maps with other computer software

Basis: 1(a)

First Use Date: 1998-11-00

First Use in Commerce Date: 1998-11-00

ADDITIONAL INFORMATION

Disclaimer: "GUIDE DIGITAL EDITION"

Prior Registration Number(s):

1809093
1994566

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-12-29 - Case File In TICRS
- 2001-12-18 - Registered - Principal Register
- 2001-06-14 - Allowed for Registration - Principal Register (SOU accepted)
- 2001-06-12 - Statement of use processing complete
- 2001-06-04 - Amendment to Use filed
- 2000-12-12 - Notice of allowance - mailed
- 1999-11-08 - Extension Of Time To Oppose Received
- 1999-10-05 - Published for opposition
- 1999-09-03 - Notice of publication
- 1999-06-11 - Approved for Pub - Principal Register (Initial exam)
- 1999-06-03 - Examiner's amendment mailed
- 1999-04-27 - Communication received from applicant
- 1999-02-03 - Non-final action mailed
- 1999-01-28 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
ROCHELLE D ALPERT

Correspondent
ROCHELLE D ALPERT

MORRISON & FOERSTER LLP
425 MARKET ST
SAN FRANCISCO CA 94105-2482

OPPOSITION NO. 91163719
Serial No. 76/561,585

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 450

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:30:01 ET

Serial Number: 75542435 Assignment Information

Registration Number: 2344666

Mark



(words only): AMAZING I N T E R A C T I V E DIGIZINE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2000-04-25

Filing Date: 1998-08-25

Transformed into a National Application: No

Registration Date: 2000-04-25

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-04-07

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. METRO GLOBAL MEDIA, INC.

Address:

METRO GLOBAL MEDIA, INC.

1060 Park Avenue

Cranston, RI 02910

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic publication, namely, adult entertainment magazines recorded on digital media

Basis: 1(a)

First Use Date: 1998-05-00

First Use in Commerce Date: 1998-05-00

ADDITIONAL INFORMATION

Disclaimer: "INTERACTIVE DIGIZINE"

Prior Registration Number(s):

2214747

2230668

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-07 - Case File In TICRS

2004-09-07 - TEAS Change Of Correspondence Received

2000-04-25 - Registered - Principal Register

2000-02-01 - Published for opposition

1999-12-30 - Notice of publication

1999-11-23 - Approved for Pub - Principal Register (Initial exam)

1999-09-14 - Communication received from applicant

1999-03-15 - Non-final action mailed

1999-03-12 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

WALTER W. DUFT

Correspondent

LESLEY S. RICH, ESQUIRE

MET-CAP MANAGEMENT, LLC
1060 Park Avenue
Cranston RI 02910
Phone Number: 401-464-4800, ext. 202
Fax Number: 401-943-6363

OPPOSITION NO. 91163719
Serial No. 76/561,585

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 451

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:30:12 ET

Serial Number: 75755945 Assignment Information

Registration Number: 2881942

Mark (words only): DIGITAL LOT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-09-07

Filing Date: 1999-07-20

Transformed into a National Application: No

Registration Date: 2004-09-07

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-09-16

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. CDM DATA, INC.

Address:

CDM DATA, INC.
11100 WAYZATA BLVD.
MINNETONKA, MN 55305
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER HARDWARE, NAMELY A HAND-HELD COMPUTER DEVICE FOR UPLOADING DATA TO A WEBSITE

Basis: 1(a)

First Use Date: 1999-01-20

First Use in Commerce Date: 1999-05-10

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-09-07 - Registered - Principal Register

2004-06-15 - Allowed for Registration - Principal Register (SOU accepted)

2004-06-01 - Communication received from applicant

2004-06-01 - PAPER RECEIVED

2003-12-10 - NON-FINAL ACTION E-MAILED

2003-11-20 - Assigned To Examiner

2003-11-19 - Case File In TIGRS

2003-11-07 - Statement of use processing complete

2003-10-30 - Amendment to Use filed

2003-10-30 - TEAS Statement of Use Received

2003-10-30 - TEAS Change Of Correspondence Received

2003-10-28 - Notice of allowance - mailed

2001-11-29 - Notice of Allowance canceled

2003-07-02 - Petition To Revive-Granted

2003-06-19 - Petition to Commissioner - Petitioner response letter received

2003-06-19 - FAX RECEIVED

2003-05-19 - Petition to Revive - Incomplete petition letter mailed

2003-04-16 - Petition To Revive-Received

2003-04-16 - PAPER RECEIVED

2003-02-14 - Abandonment - No use statement filed

2001-05-29 - Notice of allowance - mailed

2001-03-06 - Published for opposition

2001-02-21 - Notice of publication

2000-12-07 - Approved for Pub - Principal Register (Initial exam)

2000-11-06 - Communication received from applicant

2000-10-12 - Non-final action mailed

2000-07-03 - Communication received from applicant

1999-12-28 - Non-final action mailed

1999-12-08 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Alan G. Gorman

Correspondent

Alan G. Gorman
Merchant & Gould PC
133 Peachtree Street,NE Suite 4900
Atlanta GA 30303-1821
Phone Number: 404.954.5033
Fax Number: 404.954.5099

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 452

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:30:25 ET

Serial Number: 75371102 Assignment Information

Registration Number: 2875850

Mark

digilink

(words only): DIGILINK

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-08-24

Filing Date: 1997-10-10

Transformed into a National Application: No

Registration Date: 2004-08-24

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-08-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Fritz A. Seidel Elektro-Automatik GmbH

Address:

Fritz A. Seidel Elektro-Automatik GmbH
Wacholderstrasse 40-42
40489 Dusseldorf
Fed Rep Germany

Legal Entity Type: Ltd Liab Co

State or Country Where Organized: Fed Rep Germany

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Servo amplifiers as control units for servo drivers; data processors and computer programs stored on data carriers for controlling servo drive
Basis: 44(e)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: 39716316.9
Foreign Registration Number: 39716316
Foreign Registration Date: 1997-07-15
Country: Fed Rep Germany
Foreign Filing Date: 1997-04-11
Foreign Expiration Date: 2007-04-30

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-22 - PAPER RECEIVED
2004-08-24 - Registered - Principal Register
2004-06-01 - Published for opposition
2004-05-12 - Notice of publication
2004-03-09 - ITU claim deleted
2004-02-25 - Approved for Pub - Principal Register (Initial exam)
2003-11-08 - Case File In TICRS
2002-11-17 - TEAS Change Of Correspondence Received
1998-06-24 - Letter of suspension mailed
1998-06-15 - Assigned To Examiner
1998-06-04 - Assigned To Examiner
1998-02-27 - Communication received from applicant

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

POWER OF ATTORNEY ROBERT W BECKER

Correspondent

Robert W. Becker

Robert W. Becker & Associates

707 Highway 66 East, Suite B

Tijeras NM 87059

Phone Number: 505-286-3511

Fax Number: 505-286-3524

Domestic Representative

Robert W. Becker

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 453

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:30:34 ET

Serial Number: 75386329 Assignment Information

Registration Number: 2764480

Mark (words only): DIGITAL DNA

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-09-16

Filing Date: 1997-11-07

Transformed into a National Application: No

Registration Date: 2003-09-16

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-09-26

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. FREESCALE SEMICONDUCTOR, INC.

Address:

FREESCALE SEMICONDUCTOR, INC.
6501 WILLIAM CANNON DRIVE WEST
AUSTIN, TX 78735
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Telephones, cellular telephones, radio pagers, mobile and portable two-way radios, radio base stations, electronic telecommunications switches for cellular telephone and paging systems, blank smartcards, encoded smartcards containing programming for verifying user identification and for access control, smartcard readers, radio frequency identification tags, namely, radio frequency receivers, transmitters and readers, electronic handheld data terminals,

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=2764480>

1/16/2007

computer software for operating and programming the foregoing goods, replacement parts for the foregoing goods and instructional manuals distributed with the foregoing goods

Basis: 1(a)

First Use Date: 1998-02-28

First Use in Commerce Date: 1998-02-28

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Prior Registration Number(s):

2178802

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-08-12 - TEAS Change Of Correspondence Received

2003-09-16 - Registered - Principal Register

2003-07-01 - Allowed for Registration - Principal Register (SOU accepted)

2003-06-09 - Assigned To Examiner

2003-06-07 - Case File In TICRS

2003-05-30 - Statement of use processing complete

2003-03-21 - Amendment to Use filed

2003-05-13 - Extension 5 granted

2003-03-21 - Extension 5 filed

2002-11-21 - Extension 4 granted

2002-09-20 - Extension 4 filed

2003-03-21 - TEAS Statement of Use Received

2003-03-21 - TEAS Extension Received

2002-09-20 - TEAS Extension Received

2002-03-20 - Extension 3 granted

2002-03-18 - Extension 3 filed

2002-03-18 - TEAS Extension Received

2001-09-27 - Extension 2 granted
2001-09-21 - Extension 2 filed
2001-04-17 - Extension 1 granted
2001-03-26 - Extension 1 filed
2000-09-26 - Notice of allowance - mailed
2000-07-04 - Published for opposition
2000-06-02 - Notice of publication
2000-04-27 - Approved for Pub - Principal Register (Initial exam)
2000-04-25 - Examiner's amendment mailed
2000-03-30 - Examiner's amendment mailed
2000-03-07 - Non-final action mailed
1999-12-02 - Communication received from applicant
1999-06-16 - Non-final action mailed
1999-06-10 - Assigned To Examiner
1999-04-20 - Communication received from applicant
1998-10-22 - Non-final action mailed
1998-09-21 - Assigned To Examiner
1998-09-15 - Assigned To Examiner
1998-08-20 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

MELODY L SCHOTTLE

Correspondent

Shannon T. Vale
Fulbright & Jaworski, LLP
600 Congress Ave., Suite 2400
Austin TX 78701
Phone Number: 5124745201
Fax Number: 5125364598

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 454

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:30:48 ET

Serial Number: 75892135 Assignment Information

Registration Number: 2519325

Mark (words only): DIGITAL ICE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-12-18

Filing Date: 2000-01-07

Transformed into a National Application: No

Registration Date: 2001-12-18

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-12-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. EASTMAN KODAK COMPANY

Address:

EASTMAN KODAK COMPANY

343 STATE STREET

ROCHESTER, NY 146500205

United States

Legal Entity Type: Corporation

State or Country of Incorporation: New Jersey

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software and hardware for processing images

Basis: 1(a)

First Use Date: 1998-02-28

First Use in Commerce Date: 1998-02-28

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-12-29 - Case File In TIGRS

2001-12-18 - Registered - Principal Register

2001-09-25 - Published for opposition

2001-09-05 - Notice of publication

2001-05-18 - Approved for Pub - Principal Register (Initial exam)

2001-01-31 - Communication received from applicant

2000-07-31 - Non-final action mailed

2000-07-03 - Assigned To Examiner

2000-06-28 - Assigned To Examiner

2000-06-22 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Stephen L. Sapp

Correspondent

STEPHEN L SAPP
LOCKE LIDDELL & SAPP LLP
2200 ROSS AVE STE 2200
DALLAS TX 75201-6776

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 455

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:30:59 ET

Serial Number: 75892058 Assignment Information

Registration Number: 2500967

Mark



(words only): DIGITAL ICE 3

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-10-23

Filing Date: 2000-01-07

Transformed into a National Application: No

Registration Date: 2001-10-23

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2001-10-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. EASTMAN KODAK COMPANY

Address:

EASTMAN KODAK COMPANY
343 STATE STREET
ROCHESTER, NY 146500205
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New Jersey

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software and hardware for processing images

Basis: 1(a)

First Use Date: 2001-02-00

First Use in Commerce Date: 2001-02-00

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Description of Mark: The mark consists of the word "digital" in stylized lower case letters above the word "ICE" in stylized letters followed a superscript number "3", with the word "digital" aligned to the left. The alpha-numeric elements of the mark are partially surrounded by a semi-circular shaped design. The attached drawing of the mark has been provided in color to indicate the color red for the semi-circular design and the superscript number "3", and such color is claimed as a feature of the mark.

Design Search Code(s):

26.03.28 - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous overall shape)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2001-10-23 - Registered - Principal Register

2001-05-29 - Allowed for Registration - Principal Register (SOU accepted)

2001-05-24 - Assigned To Examiner

2001-05-22 - Statement of use processing complete

2001-05-10 - Amendment to Use filed

2000-12-12 - Notice of allowance - mailed

2000-09-19 - Published for opposition

2000-08-18 - Notice of publication

2000-07-27 - Approved for Pub - Principal Register (Initial exam)

2000-07-06 - Assigned To Examiner

2000-06-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Stephen L. Sapp

Correspondent

STEPHEN L SAPP

LOCKE LIDDELL & SAPP LLP

2200 ROSS AVE STE 2200

DALLAS TX 75201-6776

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 456

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:31:13 ET

Serial Number: 75812771 Assignment Information

Registration Number: 2488888

Mark

DIGITAL ICE³

(words only): DIGITAL ICE3

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-09-11

Filing Date: 1999-09-30

Transformed into a National Application: No

Registration Date: 2001-09-11

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2001-10-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. EASTMAN KODAK COMPANY

Address:

EASTMAN KODAK COMPANY
343 STATE STREET
ROCHESTER, NY 146500205
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New Jersey

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

COMPUTER SOFTWARE AND HARDWARE FOR PROCESSING IMAGES

Basis: 1(a)**First Use Date:** 2001-02-00**First Use in Commerce Date:** 2001-02-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2001-09-11 - Registered - Principal Register

2001-04-26 - Allowed for Registration - Principal Register (SOU accepted)

2001-04-03 - Assigned To Examiner

2001-03-27 - Statement of use processing complete

2001-03-12 - Amendment to Use filed

2000-12-12 - Notice of allowance - mailed

2000-09-19 - Published for opposition

2000-08-18 - Notice of publication

2000-07-27 - Approved for Pub - Principal Register (Initial exam)

2000-07-03 - Assigned To Examiner

2000-04-28 - Assigned To Examiner

2000-02-23 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

STEPHEN L. SAPP

Correspondent

STEPHEN L SAPP
LOCKE LIDDELL & SAPP LLP
2200 ROSS AVE
STE 2200
DALLAS TX 75201-6776

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 457

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:31:25 ET

Serial Number: 75796089 Assignment Information

Registration Number: 2635992

Mark



(words only): DIGITAL GEM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-10-15

Filing Date: 1999-09-08

Transformed into a National Application: No

Registration Date: 2002-10-15

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-11-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. EASTMAN KODAK COMPANY

Address:
EASTMAN KODAK COMPANY
343 STATE STREET
ROCHESTER, NY 146500205
United States
Legal Entity Type: Corporation

State or Country of Incorporation: New Jersey

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

SCANNER AND COMPUTER HARDWARE AND SOFTWARE FOR PROCESSING IMAGES

Basis: 1(a)

First Use Date: 2001-04-01

First Use in Commerce Date: 2001-04-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Design Search Code(s):

26.03.03 - Incomplete ovals; Ovals, incomplete

26.03.08 - Letters, numerals or punctuation forming the perimeter of an oval or bordering the perimeter of an oval; Ovals having letters or numerals as a border; Ovals having punctuation as a border

26.03.28 - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous overall shape)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2002-10-15 - Registered - Principal Register

2002-07-22 - Allowed for Registration - Principal Register (SOU accepted)

2002-06-04 - Communication received from applicant

2002-06-04 - PAPER RECEIVED

2001-12-04 - Non-final action mailed

2001-11-06 - Statement of use processing complete

2001-10-26 - Amendment to Use filed

2001-05-29 - Notice of allowance - mailed

2001-03-06 - Published for opposition

2001-02-21 - Notice of publication

2000-12-05 - Approved for Pub - Principal Register (Initial exam)

2000-12-04 - Examiner's amendment mailed

2000-11-01 - Non-final action mailed
2000-09-19 - Assigned To Examiner
2000-03-23 - Assigned To Examiner
2000-02-24 - Assigned To Examiner
2000-02-14 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Stephen L. Sapp

Correspondent

STEPHEN L. SAPP
LOCKE LIDELL & SAPP
2200 ROSS AVE STE 2200
DALLAS TX 75201-2748

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 458

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:31:40 ET

Serial Number: 75567461 Assignment Information

Registration Number: 2532479

Mark (words only): DIGITAL ROC

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-01-22

Filing Date: 1998-10-09

Transformed into a National Application: No

Registration Date: 2002-01-22

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-02-04

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. EASTMAN KODAK COMPANY

Address:

EASTMAN KODAK COMPANY

343 STATE STREET

ROCHESTER, NY 146500205

United States

Legal Entity Type: Corporation

State or Country of Incorporation: New Jersey

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer software that restores color to photographs

Basis: 1(a)

First Use Date: 2000-07-31

First Use in Commerce Date: 2000-07-31

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-08-10 - Review Of Correspondence Complete

2002-07-12 - PAPER RECEIVED

2002-01-22 - Registered - Principal Register

2001-10-16 - Allowed for Registration - Principal Register (SOU accepted)

2001-03-06 - Non-final action mailed

2001-02-12 - Assigned To Examiner

2001-02-08 - Statement of use processing complete

2000-12-21 - Amendment to Use filed

2000-07-24 - Extension 1 granted

2000-05-15 - Extension 1 filed

1999-12-21 - Notice of allowance - mailed

1999-09-28 - Published for opposition

1999-08-27 - Notice of publication

1999-05-25 - Approved for Pub - Principal Register (Initial exam)

1999-05-20 - Examiner's amendment mailed

1999-05-04 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Cydney A Tune

Correspondent
CYDNEY A TUNE
CALENDAR/DOCKET DEPARTMENT

PILLSBURY MADISON & SUTRO LLP
PO BOX 7880
SAN FRANCISCO CA 94120-7880

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 459

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:31:51 ET

Serial Number: 75421176 Assignment Information

Registration Number: 2438842

Mark (words only): DIGITAL ICE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-03-27

Filing Date: 1998-01-21

Transformed into a National Application: No

Registration Date: 2001-03-27

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-11-20

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. EASTMAN KODAK COMPANY

Address:

EASTMAN KODAK COMPANY

343 STATE STREET

ROCHESTER, NY 146500205

United States

Legal Entity Type: Corporation

State or Country of Incorporation: New Jersey

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer hardware and software which eliminates environmental defects, namely, scratches, dust fingerprints and dirt from scanned photographic images

Basis: 1(a)

First Use Date: 1998-02-28

First Use in Commerce Date: 1998-02-28

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-11-20 - Case File In TICRS
 - 2001-03-27 - Registered - Principal Register
 - 2000-10-13 - Allowed for Registration - Principal Register (SOU accepted)
 - 2000-07-28 - Communication received from applicant
 - 2000-04-27 - Non-final action mailed
 - 2000-02-07 - Statement of use processing complete
 - 1999-12-13 - Amendment to Use filed
 - 1999-06-15 - Notice of allowance - mailed
 - 1999-03-23 - Published for opposition
 - 1999-02-19 - Notice of publication
 - 1998-12-15 - Approved for Pub - Principal Register (Initial exam)
 - 1998-12-03 - Examiner's amendment mailed
 - 1998-10-02 - Non-final action mailed
 - 1998-09-14 - Assigned To Examiner
-

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
STEPHEN L. SAPP

Correspondent
STEPHEN L. SAPP
LOCKE LIDDELL & SAPP LLP
2200 ROSS AVENUE
SUITE 2200
DALLAS, TEXAS 75201-6776



OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 460

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:32:04 ET

Serial Number: 75064464 Assignment Information

Registration Number: 2251628

Mark

DSD
Direct Stream Digital

(words only): DSD DIRECT STREAM DIGITAL

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-07-26

Filing Date: 1996-02-27

Transformed into a National Application: No

Registration Date: 1999-06-08

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-07-28

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sony Kabushiki Kaisha

Address:

Sony Kabushiki Kaisha
7-35 Kitashinagawa 6-chome Shinagawa-ku
Tokyo 141
Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

blank digital audio discs, prerecorded digital audio discs featuring music, cinema, sports, musical and language/educational lessons; digital audio disc players

Basis: 1(a)

First Use Date: 1996-11-08

First Use in Commerce Date: 1996-11-08

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-07-26 - Section 8 (6-year) accepted & Section 15 acknowledged

2004-06-17 - Section 8 (6-year) and Section 15 Filed

1999-06-08 - Registered - Principal Register

1999-04-20 - Allowed for Registration - Principal Register (SOU accepted)

1999-04-14 - Assigned To Examiner

1999-03-31 - Statement of use processing complete

1999-03-10 - Amendment to Use filed

1998-09-21 - Extension 1 granted

1998-09-21 - Extension 1 filed

1998-03-24 - Notice of allowance - mailed

1997-12-30 - Published for opposition

1997-11-28 - Notice of publication

1997-10-30 - Approved for Pub - Principal Register (Initial exam)

1997-03-06 - Communication received from applicant

1997-08-07 - Reinstated

1997-05-15 - Abandonment - Failure To Respond Or Late Response

1996-09-06 - Non-final action mailed

1996-08-29 - Assigned To Examiner

1996-08-20 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Robert B.G. Horowitz

Correspondent

Robert B.G. Horowitz

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, NY 10036

Domestic Representative

Robert B.G. Horowitz

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 461

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:32:17 ET

Serial Number: 75633081 Assignment Information

Registration Number: 2862974

Mark (words only): DIGITAL VIDEO ESSENTIALS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-07-13

Filing Date: 1999-02-02

Transformed into a National Application: No

Registration Date: 2004-07-13

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-07-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Joe Kane Productions, Inc.

Address:
Joe Kane Productions, Inc.
11136 Hesby Street Suite 115
North Hollywood, CA 91601
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Nevada

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
digital video programs for maximizing the performance of Digital Video Disc (DVD) playback systems
Basis: 1(a)
First Use Date: 2003-06-05
First Use in Commerce Date: 2003-06-05

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL VIDEO"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-07-13 - Registered - Principal Register

2004-05-11 - Allowed for Registration - Principal Register (SOU accepted)

2004-04-07 - Communication received from applicant

2004-04-07 - PAPER RECEIVED

2003-12-04 - Non-final action mailed

2003-08-26 - Assigned To Examiner

2003-08-22 - Case File In TICRS

2003-08-13 - Statement of use processing complete

2003-07-14 - Amendment to Use filed

2003-07-14 - PAPER RECEIVED

2003-03-23 - Extension 4 granted

2002-12-17 - Extension 4 filed

2002-12-20 - PAPER RECEIVED

2002-12-23 - PAPER RECEIVED

2002-07-02 - Extension 3 granted

2002-06-14 - Extension 3 filed

2002-01-24 - Extension 2 granted

2002-01-02 - Extension 2 filed

2001-07-06 - Extension 1 granted

2001-06-21 - Extension 1 filed

2001-01-16 - Notice of allowance - mailed

2000-07-12 - Extension Of Time To Oppose Received
2000-06-13 - Published for opposition
2000-05-12 - Notice of publication
2000-02-29 - Approved for Pub - Principal Register (Initial exam)
2000-02-04 - Examiner's amendment mailed
1999-09-13 - Communication received from applicant
1999-11-18 - Assigned To Examiner
1999-10-22 - Communication received from applicant
1999-07-29 - Non-final action mailed
1999-07-16 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Daniel C. DeCarlo

Correspondent

DANIEL C. DECARLO
LEWIS, D'AMATO, BRISBOIS & BISGAARD
221 NORTH FIGUEROA STREET
SUITE 1200
LOS ANGELES, CALIFORNIA 90012

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 462

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:32:28 ET

Serial Number: 75844559 Assignment Information

Registration Number: 2442270

Mark (words only): EDVD

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-04-10

Filing Date: 1999-11-09

Transformed into a National Application: No

Registration Date: 2001-04-10

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-11-06

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sonic Solutions

Address:
Sonic Solutions
101 Rowland Way, Suite 10
Novato, CA 94945
United States
Legal Entity Type: Corporation
State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
FEATURE OF COMPUTER SOFTWARE FOR COMBINING INFORMATION STORED ON DVD WITH INFORMATION RECEIVED VIA A GLOBAL OR LOCAL COMPUTER NETWORK, AND ACCOMPANYING USER MANUALS, SOLD AS A UNIT
Basis: 1(a)

First Use Date: 1999-06-15**First Use in Commerce Date:** 1999-06-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

USPTO Reference Number: Z1230531**International Registration Number:** 0826647**International Registration Date:** 2004-03-10**Original Filing Date with USPTO:** 2004-03-10**International Registration Status:** Application For IR Registered By IB**Date of International Registration Status:** 2004-07-08**International Registration Renewal Date:** 2014-03-10**Irregularity Reply by Date:** (DATE NOT AVAILABLE)**Madrid History:**

07-08-2004 - 12:07:30 - Application For IR Registered By IB

05-26-2004 - 09:43:54 - Response To Irregularity Reviewed And Accepted

05-20-2004 - 12:00:00 - Irregularity Response Received From Applicant

04-19-2004 - 19:14:51 - Irregularity Received From IB

03-15-2004 - 14:53:53 - Manually Certified

03-15-2004 - 10:57:36 - New Application For IR Received

PROSECUTION HISTORY

2006-11-06 - Case File In TICRS

2005-08-31 - Attorney Revoked And/Or Appointed

2005-08-31 - TEAS Revoke/Appoint Attorney Received

2001-04-10 - Registered - Principal Register

2001-01-16 - Published for opposition

2000-12-15 - Notice of publication

2000-11-18 - Approved for Pub - Principal Register (Initial exam)

2000-10-03 - Communication received from applicant

2000-04-03 - Non-final action mailed

2000-03-29 - Assigned To Examiner

2000-03-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Heather A. Dunn

Correspondent

Heather A. Dunn

DLA Piper Rudnick Gray Cary US LLP

153 Townsend Street, Suite 800

San Francisco CA 94107

Phone Number: 415 836-2557

Fax Number: 415 836-2501

OPPOSITION NO. 91163719
Serial No. 76/561,585

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 463

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:32:42 ET

Serial Number: 75438717 Assignment Information

Registration Number: 2635624

Mark (words only): DIGITALMONTAGE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-10-15

Filing Date: 1998-02-23

Transformed into a National Application: No

Registration Date: 2002-10-15

Register: Principal

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-11-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. GATAN, INC.

Address:

GATAN, INC.
780 COMMONWEALTH DRIVE
WARRENDALE, PA 15086
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Pennsylvania

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer programs for use in the enlargement of images produced by a transmission electron microscope

Basis: 1(a)

First Use Date: 1997-08-00

First Use in Commerce Date: 1997-08-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-08-16 - Review Of Correspondence Complete
- 2003-01-16 - PAPER RECEIVED
- 2002-10-15 - Registered - Principal Register
- 2002-07-30 - Allowed for Registration - Principal Register (SOU accepted)
- 2002-07-25 - Statement of use processing complete
- 2002-07-01 - Amendment to Use filed
- 2002-07-01 - PAPER RECEIVED
- 2002-05-07 - Notice of allowance - mailed
- 2002-02-12 - Published for opposition
- 2002-01-23 - Notice of publication
- 2001-11-20 - Approved for Pub - Principal Register (Initial exam)
- 1998-11-30 - Letter of suspension mailed
- 1998-10-30 - Assigned To Examiner
- 1998-10-13 - Assigned To Examiner
- 1998-10-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
KIMBERLY GAMBREL

Correspondent
KIMBERLY GAMBREL
KILLWORTH GOTTMAN HAGAN & SCHAEFF LLP
1 DAYTON CTR
1 S MAIN ST STE 500

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 464

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:32:57 ET

Serial Number: 75763900 Assignment Information

Registration Number: 2391432

Mark



(words only): DAC

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-12-04

Filing Date: 1999-07-29

Transformed into a National Application: No

Registration Date: 2000-10-03

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2006-12-04

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DIGITAL RECORDERS, INC.

Address:

DIGITAL RECORDERS, INC.

Post Office Box 14068

Research Triangle Park, NC 277094068

United States

Legal Entity Type: Corporation

State or Country of Incorporation: North Carolina

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic digital processing devices, namely - a digital signal processor to enhance degraded voice recordings, cancel noise in live audio, transcribe voice tapes and filter vibration and acoustic signals

Basis: 1(a)

First Use Date: 1981-12-31

First Use in Commerce Date: 1981-12-31

ADDITIONAL INFORMATION

Disclaimer: "DAC"

Design Search Code(s):

26.03.21 - Ovals that are completely or partially shaded

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-12-04 - Section 8 (6-year) accepted & Section 15 acknowledged

2006-10-03 - Section 8 (6-year) and Section 15 Filed

2006-10-03 - Section 8 (6-year) and Section 15 Filed

2006-10-03 - Section 8 (6-year) and Section 15 Filed

2006-10-03 - TEAS Section 8 & 15 Received

2006-06-08 - Attorney Revoked And/Or Appointed

2006-06-08 - TEAS Revoke/Appoint Attorney Received

2006-02-09 - Case File In TICRS

2002-12-31 - TEAS Change Of Correspondence Received

2000-10-03 - Registered - Principal Register

2000-07-11 - Published for opposition

2000-06-09 - Notice of publication

2000-04-18 - Approved for Pub - Principal Register (Initial exam)

Latest Status Info

2000-03-06 - Communication received from applicant

2000-01-21 - Non-final action mailed

1999-12-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Brian D. Walker

Correspondent

Brian D. Walker

Howison & Arnott

5420 LBJ Freeway, Suite 660

Dallas TX 75240

Phone Number: 972-680-6054

Fax Number: 972-479-0464

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 465

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:33:11 ET

Serial Number: 75022807 Assignment Information

Registration Number: 2157225

Mark (words only): DIGITAL PHYSICS

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-06-25

Filing Date: 1995-11-21

Transformed into a National Application: No

Registration Date: 1998-05-12

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-06-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Exa Corporation

Address:

Exa Corporation
450 Bedford Street
Lexington, MA 02173
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Massachusetts

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer processors, computer software, chips and circuits, all in the field of fluid dynamics simulation, modeling and control technology and user manuals associated therewith

Basis: 1(a)

First Use Date: 1997-10-20

First Use in Commerce Date: 1997-10-20

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-06-25 - Section 8 (6-year) accepted & Section 15 acknowledged
2004-05-17 - Section 8 (6-year) and Section 15 Filed
1998-05-12 - Registered - Principal Register
1998-03-03 - Allowed for Registration - Principal Register (SOU accepted)
1998-02-20 - Statement of use processing complete
1998-02-20 - Extension 1 granted
1997-11-03 - Amendment to Use filed
1997-11-03 - Extension 1 filed
1997-05-20 - Notice of allowance - mailed
1996-09-13 - Extension Of Time To Oppose Received
1996-09-03 - Published for opposition
1996-08-02 - Notice of publication
1996-06-12 - Approved for Pub - Principal Register (Initial exam)
1996-05-29 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

SUSAN BARBIERI MONTGOMERY

Correspondent

SUSAN BARBIERI MONTGOMERY
FOLEY HOAG LLP
WORLD TRADE CENTER WEST
155 SEAPORT BLVD.,
BOSTON, MA 02110-2600

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

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EXHIBIT 466

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:33:44 ET

Serial Number: 75812467 Assignment Information

Registration Number: 2493376

Mark (words only): DIGIMASTER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-09-25

Filing Date: 1999-09-30

Transformed into a National Application: No

Registration Date: 2001-09-25

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: SH0 -Office Of Public Record - Special Handling

Date In Location: 2005-11-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. EASTMAN KODAK COMPANY

Address:
EASTMAN KODAK COMPANY
343 STATE STREET
ROCHESTER, NY 146500205
United States
Legal Entity Type: Corporation
State or Country of Incorporation: New Jersey

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
High volume digital printers
Basis: 1(a)
First Use Date: 1999-11-15
First Use in Commerce Date: 1999-11-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2001-09-25 - Registered - Principal Register

2001-06-15 - Allowed for Registration - Principal Register (SOU accepted)

2001-06-11 - Statement of use processing complete

2001-06-01 - Amendment to Use filed

2000-12-05 - Notice of allowance - mailed

2000-09-12 - Published for opposition

2000-08-11 - Notice of publication

2000-06-19 - Approved for Pub - Principal Register (Initial exam)

2000-06-07 - Examiner's amendment mailed

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
SIEGRUN D. KANE

Correspondent
SIEGRUN D KANE
MORGAN & FINNEGAN LLP
345 PARK AVE
NEW YORK NY 10154-0004

Domestic Representative
KANE, DALSIMER, SULLIVAN & LEVY

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
)
Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 467

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:33:57 ET

Serial Number: 75481805 Assignment Information

Registration Number: 2856129

Mark (words only): DIGITAL INSIGHT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-06-22

Filing Date: 1998-05-08

Transformed into a National Application: No

Registration Date: 2004-06-22

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-07-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Digital Insight Corporation

Address:

Digital Insight Corporation
26025 Mureau Road
Calabasas, CA 91302
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software to facilitate access to services available over electronic communications networks, for communications over electronic communications networks, or for data translation, all in the fields of financial services, banking, investment services, or bill payment services

Basis: 1(a)

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=2856129>

1/16/2007

First Use Date: 1995-07-17**First Use in Commerce Date:** 1995-07-17**International Class:** 036**Class Status:** Active

Providing information relating to financial services, investment services or banking, and providing access to financial services, banking services, bill payment services or investment services, all by means of electronic communications networks

Basis: 1(a)**First Use Date:** 1995-07-17**First Use in Commerce Date:** 1995-07-17**International Class:** 042**Class Status:** Active

Computer graphics and Web sit design services

Basis: 1(a)**First Use Date:** 1995-07-17**First Use in Commerce Date:** 1995-07-17

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-06-22 - Registered - Principal Register

2004-04-06 - Allowed for Registration - Principal Register (SOU accepted)

2004-03-05 - Communication received from applicant

2004-03-05 - TEAS Response to Office Action Received

2003-10-31 - Non-final action mailed

2003-10-17 - Assigned To Examiner

2003-10-16 - Case File In TIGRS

2003-10-07 - Statement of use processing complete

2003-10-01 - Amendment to Use filed

2003-10-01 - TEAS Statement of Use Received

2003-07-15 - Notice of allowance - mailed

2003-04-22 - Published for opposition

- 2003-04-02 - Notice of publication
- 2003-02-24 - Approved for Pub - Principal Register (Initial exam)
- 2002-12-19 - Communication received from applicant
- 2002-11-20 - TEAS Change Of Correspondence Received
- 2002-06-20 - Non-final action mailed
- 1999-09-13 - Letter of suspension mailed
- 1999-09-07 - Examiner's amendment mailed
- 1999-05-24 - Communication received from applicant
- 1999-01-25 - Non-final action mailed
- 1998-12-17 - Assigned To Examiner
- 1998-12-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Elisabeth A. Wing Stone

Correspondent
Jennifer L. Lefere
Tonkon Torp LLP
888 SW Fifth Avenue, Suite 1600
Portland OR 97204
Phone Number: (503) 802-2123
Fax Number: (503) 972-3823

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 468

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:34:10 ET

Serial Number: 75917061 Assignment Information

Registration Number: 2854104

Mark (words only): BEYOND DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-06-15

Filing Date: 2000-02-11

Transformed into a National Application: No

Registration Date: 2004-06-15

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-07-07

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. VIEWSONIC CORPORATION

Address:
VIEWSONIC CORPORATION
381 Brea Canyon Road
Walnut, CA 91789
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer monitors; flat display screens for use with computers, namely LCD/liquid crystal display panels and plasma display panels; LCD/liquid crystal display projectors that project images of data or video generated from a computer or a video source

Basis: 1(a)

First Use Date: 2002-09-12

First Use in Commerce Date: 2002-09-12

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-06-15 - Registered - Principal Register

2004-03-29 - Allowed for Registration - Principal Register (SOU accepted)

2004-03-24 - Assigned To Examiner

2004-03-23 - Case File In TICRS

2004-03-23 - Case File In TICRS

2004-03-08 - Statement of use processing complete

2004-02-13 - Amendment to Use filed

2004-02-13 - TEAS Statement of Use Received

2003-08-13 - Extension 5 granted

2003-08-13 - Extension 5 filed

2003-08-18 - PAPER RECEIVED

2003-07-08 - TEAS Change Of Correspondence Received

2003-04-18 - Extension 4 granted

2003-02-13 - Extension 4 filed

2003-02-19 - PAPER RECEIVED

2002-09-03 - Extension 3 granted

2002-08-12 - Extension 3 filed

2002-08-12 - PAPER RECEIVED

2002-03-01 - Extension 2 granted

2002-02-13 - Extension 2 filed

2001-08-31 - Extension 1 granted
2001-08-13 - Extension 1 filed
2001-02-13 - Notice of allowance - mailed
2000-11-21 - Published for opposition
2000-10-20 - Notice of publication
2000-09-28 - Approved for Pub - Principal Register (Initial exam)
2000-08-25 - Communication received from applicant
2000-07-27 - Non-final action mailed
2000-07-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Diane M. Lambillotte

Correspondent

Diane M. Lambillotte
Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco CA 94111
Phone Number: 213 229-8462
Fax Number: 213 830-8694

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 469

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:34:21 ET

Serial Number: 75449842 Assignment Information

Registration Number: 2330818

Mark (words only): SUPER DIGITEXT

Standard Character claim: No

Current Status: A Section 8 affidavit has been accepted.

Date of Status: 2006-02-04

Filing Date: 1998-03-13

Transformed into a National Application: No

Registration Date: 2000-03-21

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-04-28

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Tally Display Corporation

Address:

Tally Display Corporation
35 Monhegan Street
Clifton, NJ 07013
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New York

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

LED display system supertitling computer software package

Basis: 1(a)

First Use Date: 1996-09-15

First Use in Commerce Date: 1996-09-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-11-02 - Applicant/Correspondence Changes (Non-Responsive) Entered

2006-11-02 - TEAS Change Of Owner Address Received

2006-04-28 - Case File In TICRS

2006-02-04 - Section 8 (6-year) accepted

2005-12-30 - Section 8 (6-year) filed

2005-12-30 - PAPER RECEIVED

2004-06-07 - TEAS Change Of Correspondence Received

2000-03-21 - Registered - Principal Register

1999-12-28 - Published for opposition

1999-11-26 - Notice of publication

1999-10-17 - Approved for Pub - Principal Register (Initial exam)

1999-08-18 - Communication received from applicant

1999-06-28 - Non-final action mailed

1999-05-13 - Communication received from applicant

1998-11-17 - Non-final action mailed

1998-11-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent
Timothy J. Lyden
Hogan and Hartson L.L.P.
Box Intellectual Property
8300 Greensboro Drive, Suite 1100
McLean VA 22102

Phone Number: 703-610-6100

Fax Number: 703-610-6200

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 470

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:34:33 ET

Serial Number: 75449841 Assignment Information

Registration Number: 2308506

Mark (words only): MINI-DIGITEXT

Standard Character claim: No

Current Status: A Section 8 affidavit has been accepted.

Date of Status: 2006-05-26

Filing Date: 1998-03-13

Transformed into a National Application: No

Registration Date: 2000-01-18

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2006-05-26

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Tally Display Corporation

Address:

Tally Display Corporation
35 Monhegan Street
Clifton, NJ 07013
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New York

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

LED display system supertitling computer software package

Basis: 1(a)

First Use Date: 1997-07-00

First Use in Commerce Date: 1997-07-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-11-02 - Applicant/Correspondence Changes (Non-Responsive) Entered

2006-11-02 - TEAS Change Of Owner Address Received

2006-05-26 - Section 8 (6-year) accepted

2006-05-25 - Case File In TICRS

2006-05-16 - Assigned To Paralegal

2006-02-27 - Section 8 (6-year) filed

2006-02-27 - TEAS Section 8 Received

2004-06-07 - TEAS Change Of Correspondence Received

2000-01-18 - Registered - Principal Register

1999-10-26 - Published for opposition

1999-09-24 - Notice of publication

1999-06-18 - Approved for Pub - Principal Register (Initial exam)

1999-05-17 - Communication received from applicant

1998-11-17 - Non-final action mailed

1998-11-06 - Assigned To Examiner

1998-11-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

TIMOTHY J. LYDEN

Correspondent

Timothy J. Lyden

Hogan and Hartson L.L.P.

Box Intellectual Property
8300 Greensboro Drive, Suite 1100
McLean VA 22102
Phone Number: 703-610-6100
Fax Number: 703-610-6200

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 471

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:34:44 ET

Serial Number: 75908452 Assignment Information

Registration Number: 2847708

Mark (words only): DIGITAL JOURNEY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-06-01

Filing Date: 2000-02-02

Transformed into a National Application: No

Registration Date: 2004-06-01

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-06-21

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sun Microsystems, Inc.

Address:
Sun Microsystems, Inc.
4150 NETWORK CIRCLE
SANTA CLARA, CA 95054
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Prerecorded audio and video tapes for education and entertainment purposes featuring topics of specific and general interest, namely, technology, business, society, e-commerce, culture and the environment
Basis: 1(a)
First Use Date: 1999-10-01

First Use in Commerce Date: 1999-10-01

International Class: 041

Class Status: Active

entertainment services, namely, production and broadcasting of prerecorded audio and video tapes featuring topics of specific interest and general interest, namely, technology, business, society, e-commerce, culture and the environment

Basis: 1(a)

First Use Date: 1999-10-01

First Use in Commerce Date: 1999-10-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-06-01 - Registered - Principal Register

2004-03-29 - Allowed for Registration - Principal Register (SOU accepted)

2004-03-29 - Assigned To Examiner

2004-03-26 - Case File In TICRS

2004-03-22 - Statement of use processing complete

2004-03-04 - Amendment to Use filed

2004-03-08 - PAPER RECEIVED

2004-03-04 - Extension 1 granted

2004-02-12 - Extension 1 filed

2004-02-17 - PAPER RECEIVED

2003-08-12 - Notice of allowance - mailed

2003-05-20 - Published for opposition

2003-04-30 - Notice of publication

2003-03-28 - TEAS Change Of Correspondence Received

2003-03-08 - Approved for Pub - Principal Register (Initial exam)

2003-01-17 - Communication received from applicant

2003-01-21 - PAPER RECEIVED

2002-07-19 - Non-final action mailed

2002-06-03 - Previous allowance count withdrawn

2002-03-11 - Approved for Pub - Principal Register (Initial exam)

2001-11-12 - Communication received from applicant

2001-05-22 - Final refusal mailed

2001-05-10 - Assigned To Examiner

2001-02-02 - Communication received from applicant

2000-08-02 - Non-final action mailed

2000-07-14 - Assigned To Examiner

2000-07-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Sally M. Abel

Correspondent

Sally M. Abel, Esq.
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View CA 94041
Phone Number: (650) 335-0600
Fax Number: (650) 938-5200

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 472

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:34:56 ET

Serial Number: 75734339 Assignment Information

Registration Number: 2387509

Mark

DigiTronix

(words only): DIGITRONIX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2000-09-19

Filing Date: 1999-06-21

Transformed into a National Application: No

Registration Date: 2000-09-19

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: M4D -TMO Law Office 113 - Docket Clerk

Date In Location: 2006-01-25

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. OMNITRONIX INC.

Address:

OMNITRONIX INC.
NO. 22, LANE 27, AN HO RD., TAN TZU HSIANG
TAICHUNG HSIEN
Taiwan

Legal Entity Type: Corporation

State or Country of Incorporation: Taiwan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

ELECTRICAL TRANSFORMERS, ELECTRIC LIGHT DIMMERS, ELECTRONIC BALLASTS, ELECTRIC PLUGS, ELECTRIC SWITCHES, ELECTRIC LIGHT SWITCHES, CAPACITORS, COMMUTATORS, VOLTAGE SURGE PROTECTORS AND ELECTRICAL POWER SUPPLY

Basis: 1(a)

First Use Date: 1994-08-11

First Use in Commerce Date: 1994-08-11

ADDITIONAL INFORMATION

Lining and Stippling: THE LINING SHOWN IN THE DRAWING IS A FEATURE OF THE MARK.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-25 - Case File In TIGRS

2004-05-28 - TEAS Change Of Correspondence Received

2002-06-26 - PAPER RECEIVED

2000-09-19 - Registered - Principal Register

2000-06-27 - Published for opposition

2000-05-26 - Notice of publication

2000-03-27 - Approved for Pub - Principal Register (Initial exam)

2000-02-09 - Communication received from applicant

1999-11-12 - Non-final action mailed

1999-11-04 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

ALAN D. KAMRATH

Correspondent

Alan D. Kamrath

NIKOLAI & MERSEREAU, P.A.
Suite 820 International Centre
900 Second Avenue South
Minneapolis MN 55402
Phone Number: 612-392-7306
Fax Number: 612-349-6556

Domestic Representative

RIDER BENNETT EGAN & ARUNDEL

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 473

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:36:16 ET

Serial Number: 75396883 Assignment Information

Registration Number: 2290849

Mark



(words only): DIGI EYE

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-01-05

Filing Date: 1997-11-26

Transformed into a National Application: No

Registration Date: 1999-11-09

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2006-01-05

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. SYAC S.P.A.

Address:

SYAC S.P.A.

VIA CABOTO

19/1-3447 TRIESTE TS

Italy

Legal Entity Type: Corporation

State or Country of Incorporation:(NOT AVAILABLE)

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

VIDEO SURVEILLANCE EQUIPMENT, namely, MATRIX SWITCHERS, MOTION DETECTORS, VIDEO RECORDERS, VIDEO TRANSMITTERS, IMAGE ENHANCERS AND COMPUTERS FOR THE VIDEO SURVEILLANCE BY MULTIFUNCTIONAL SYSTEM USING CLOSED CIRCUIT TELEVISION

Basis: 1(a)

First Use Date: 1996-11-26

First Use in Commerce Date: 1997-03-30

ADDITIONAL INFORMATION

Design Search Code(s):

01.15.25 - Coal; Dust; Light rays; Liquids, spilling; Pouring liquids; Sand; Spilling liquids

26.01.21 - Circles that are totally or partially shaded.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-05 - Section 8 (6-year) accepted & Section 15 acknowledged

2005-11-07 - Section 8 (6-year) and Section 15 Filed

2005-11-07 - TEAS Section 8 & 15 Received

1999-11-09 - Registered - Principal Register

1999-08-17 - Published for opposition

1999-07-16 - Notice of publication

1999-04-22 - Approved for Pub - Principal Register (Initial exam)

1999-03-10 - Communication received from applicant

1998-09-22 - Non-final action mailed

1998-09-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Aoi Nawashiro

Correspondent

Aoi Nawashiro
Browdy and Neimark, PLLC
624 ninth street, NW
Washington, DC 20001

Domestic Representative

browdy and neimark, PLLC

OPPOSITION NO. 91163719
Serial No. 76/561,585

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 474

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:36:29 ET

Serial Number: 75521923 Assignment Information

Registration Number: 2297795

Mark



(words only): ASPI DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 1999-12-07

Filing Date: 1998-07-20

Transformed into a National Application: No

Registration Date: 1999-12-07

Register: Principal

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-06-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Atlanta Signal Processors, Inc.

Address:

Atlanta Signal Processors, Inc.
1375 Peachtree Street, N.E. Suite 690
Atlanta, GA 303093115
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Georgia

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer hardware and computer programs for digital signal processing

Basis: 1(a)

First Use Date: 1997-08-08

First Use in Commerce Date: 1997-08-08

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Lining and Stippling: The mark is lined for the color blue.

Design Search Code(s):

26.01.02 - Circles, plain single line; Plain single line circles

26.09.21 - Squares that are completely or partially shaded

26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-09 - Case File In TICRS

2005-01-27 - Section 7 request abandoned

2005-01-14 - Section 7 request abandoned

2004-05-19 - TEAS Change Of Correspondence Received

2004-02-07 - Post Registration action mailed - Section 7

2003-04-16 - Section 7 amendment filed

2003-04-16 - PAPER RECEIVED

1999-12-07 - Registered - Principal Register

1999-09-14 - Published for opposition

1999-08-13 - Notice of publication

1999-05-27 - Approved for Pub - Principal Register (Initial exam)

1999-05-11 - Assigned To Examiner

1999-05-10 - Examiner's amendment mailed
1999-04-21 - Communication received from applicant
1999-03-12 - Non-final action mailed
1999-02-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

RICHARD NESSARY

Correspondent

John C. Cain
Wong Cabello
20333 SH 249, Suite 600
Houston TX 77070
Phone Number: 832 446 2400
Fax Number: 832 446 2424

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 475

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:36:42 ET

Serial Number: 75647534 Assignment Information

Registration Number: 2584223

Mark (words only): DIGITAL MOTORWORKS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-06-25

Filing Date: 1999-02-24

Transformed into a National Application: No

Registration Date: 2002-06-25

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-07-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Digital Motorworks, Inc.

Address:
Digital Motorworks, Inc.
8310 Capitol of Texas Highway, Suite 430
Austin, TX 78731
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Texas

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
software for use by automobile dealerships for posting advertisements and inventory
Basis: 1(a)
First Use Date: 1995-09-10
First Use in Commerce Date: 1995-09-10

International Class: 039**Class Status:** Active

electronic storage and archiving for others of automobile dealership inventory data

Basis: 1(a)**First Use Date:** 1995-09-10**First Use in Commerce Date:** 1995-09-10

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-05-12 - TEAS Change Of Correspondence Received

2002-06-25 - Registered - Principal Register

2002-04-02 - Published for opposition

2002-03-13 - Notice of publication

2001-08-06 - Approved for Pub - Principal Register (Initial exam)

2001-06-08 - Examiner's amendment mailed

2001-02-16 - Final refusal mailed

2000-04-28 - Communication received from applicant

2000-09-22 - Non-final action mailed

1999-08-17 - Non-final action mailed

1999-08-13 - Assigned To Examiner

1999-08-10 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

STEVEN R GREENFIELD

Correspondent

Susan E. Hollander

Manatt, Phelps & Phillips, LLP

1001 Page Mill Road Building 2

Latest Status Info

Palo Alto CA 94304

Phone Number: 650-812-1300

Fax Number: 650-213-0260

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 476

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:36:54 ET

Serial Number: 75598883 Assignment Information

Registration Number: 2713732

Mark (words only): DIGITAL IMPACT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-05-06

Filing Date: 1998-12-03

Transformed into a National Application: No

Registration Date: 2003-05-06

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-05-12

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DIGITAL IMPACT, INC.

Address:

DIGITAL IMPACT, INC.
177 BOVET ROAD
SAN MATEO, CA 94402
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer software for use in creating, implementing and auditing marketing and advertising programs conducted via e-mail

Basis: 1(a)

First Use Date: 2001-02-00

First Use in Commerce Date: 2001-02-00

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"**Prior Registration Number(s):**

2387045

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-05-04 - TEAS Change Of Correspondence Received

2003-06-02 - TEAS Change Of Correspondence Received

2003-05-06 - Registered - Principal Register

2003-03-11 - Allowed for Registration - Principal Register (SOU accepted)

2003-02-24 - Examiner's amendment mailed

2002-11-26 - Non-final action mailed

2002-11-25 - Assigned To Examiner

2002-04-24 - Statement of use processing complete

2002-03-06 - Amendment to Use filed

2002-03-08 - PAPER RECEIVED

2002-02-13 - Extension 4 granted

2002-01-23 - Extension 4 filed

2001-08-08 - Extension 3 granted

2001-07-23 - Extension 3 filed

2001-05-16 - Extension 2 granted

2001-01-25 - Extension 2 filed

2000-09-13 - Extension 1 granted

2000-07-24 - Extension 1 filed

2000-01-25 - Notice of allowance - mailed

1999-11-02 - Published for opposition

1999-10-01 - Notice of publication

1999-07-15 - Approved for Pub - Principal Register (Initial exam)

1999-07-07 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

TERRI Y CHEN

Correspondent

John L. Slafsky

WILSON SONSINI GOODRICH & ROSATI

650 Page Mill Road

Palo Alto CA 94304

Phone Number: 650-493-9300

Fax Number: 650-493-6811

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 477

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:37:05 ET

Serial Number: 75561860 Assignment Information

Registration Number: 2428761

Mark (words only): DIGIGLO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-02-13

Filing Date: 1998-09-30

Transformed into a National Application: No

Registration Date: 2001-02-13

Register: Principal

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-12-01

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Ecolab Inc.

Address:

Ecolab Inc.
370 Wabasha Street N.
St. Paul, MN 551021349
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

HAND SOIL SOLUTION THAT INDICATES SOIL AND VULNERABLE AREAS THAT NEED TO BE
CLEANED ON THE HANDS

Basis: 1(a)

First Use Date: 1999-10-08

First Use in Commerce Date: 1999-10-08

International Class: 009

Class Status: Active

ELECTRONIC INDICATOR FOR MEASURING THE EFFECTIVENESS OF ANTIMICROBIAL HANDWASH

Basis: 1(a)

First Use Date: 1999-10-08

First Use in Commerce Date: 1999-10-08

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-12-01 - Case File In TICRS

2004-04-26 - TEAS Change Of Correspondence Received

2001-02-13 - Registered - Principal Register

2000-11-21 - Allowed for Registration - Principal Register (SOU accepted)

2000-11-21 - Assigned To Examiner

2000-08-22 - Statement of use processing complete

2000-08-22 - Amendment to Use filed

2000-06-27 - Notice of allowance - mailed

2000-04-04 - Published for opposition

2000-03-03 - Notice of publication

2000-01-28 - Approved for Pub - Principal Register (Initial exam)

2000-01-21 - Examiner's amendment mailed

1999-07-22 - Non-final action mailed

1999-05-06 - Assigned To Examiner

1999-04-29 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Andrew D. Sorensen

Correspondent

Edward R. Courtney
Ecolab Inc.
ERC-840
370 Wabasha Street N
St. Paul MN 55102
Phone Number: 651-306-4293
Fax Number: 651-552-4837

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT **478**

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:37:16 ET

Serial Number: 75710344 Assignment Information

Registration Number: 2598452

Mark (words only): DIGITAL SENTRY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-07-23

Filing Date: 1999-06-15

Transformed into a National Application: No

Registration Date: 2002-07-23

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-08-12

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. INTEGRAL TECHNOLOGIES, INC.

Address:

INTEGRAL TECHNOLOGIES, INC.

9855 CROSSPOINT BLVD.

INDIANAPOLIS, IN 46256

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Indiana

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

SECURITY PRODUCTS, NAMELY ENTERPRISE CLASS DIGITAL VIDEO RECORDER, DATABASE MANAGEMENT SOFTWARE FOR ALARM ASSESSMENT AND MANAGEMENT

Basis: 1(a)

First Use Date: 2000-02-09

First Use in Commerce Date: 2000-02-09

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-10-18 - Attorney Revoked And/Or Appointed

2005-10-18 - TEAS Revoke/Appoint Attorney Received

2002-07-23 - Registered - Principal Register

2002-05-24 - Allowed for Registration - Principal Register (SOU accepted)

2002-04-03 - Communication received from applicant

2002-03-05 - Non-final action mailed

2002-01-25 - Assigned To Examiner

2001-12-26 - Statement of use processing complete

2001-12-26 - Amendment to Use filed

2001-11-06 - Notice of allowance - mailed

2001-02-08 - Notice of Allowance canceled

2000-08-08 - Notice of allowance - mailed

2000-05-16 - Published for opposition

2000-04-14 - Notice of publication

2000-03-09 - Approved for Pub - Principal Register (Initial exam)

2000-01-15 - Communication received from applicant

1999-10-20 - Non-final action mailed

1999-10-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

M. Sue Michael, Amie Peele Carter, Charles Arnett, Ryan Barker, Kristiana Brugger, Abigail M. Butler, R. Trevor Carter, Adam F. Cox, Kevin R. Erdman, Meg A. Gallmeyer Gerard T. Gallagher, Brian Geisler, Eric J. Groen, Norman Hedges, Jennett M. Hill, John F. Hoffman, Jason Houser, Kareem A. Howell, Sarah M. Jabbari, Herbert Kerner, Thomas A. Ladd, Thomas J. Mauch, William Meyers, Timothy Niednagel, Anthony Niewyk, Robert D. Null, Michael D. Schwartz, Keith J. Swedo, Nancy G. Tinsley, John R. Troll, Daniel Tychonievich, and Doug Yerkeson

Correspondent

M. Sue Michael, Amie Peele Carter, Charl
Baker & Daniels LLP
Suite 2700
300 N. Meridian Street
Indianapolis IN 46204
Phone Number: (317) 237-0300
Fax Number: (317) 237-1000

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 479

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:37:30 ET

Serial Number: 75634106 Assignment Information

Registration Number: 2426161

Mark (words only): FIRST LINE DIGITAL SURVEILLANCE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-02-06

Filing Date: 1999-02-09

Transformed into a National Application: No

Registration Date: 2001-02-06

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-12-04

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. INTEGRAL TECHNOLOGIES, INC.

Address:
INTEGRAL TECHNOLOGIES, INC.
9855 CROSSPOINT BLVD.
INDIANAPOLIS, IN 46256
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Indiana

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
DIGITAL VIDEO MULTIPLEXER, DIGITIZERS, VIDEO COMPRESSION BOARDS AND SOFTWARE FOR VIDEO RECORDING AND PLAYBACK PRIMARILY FOR VIDEO SURVEILLANCE IN THE CCTV AND SECURITY INDUSTRY
Basis: 1(a)

First Use Date: 1999-02-01

First Use in Commerce Date: 1999-02-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL SURVEILLANCE"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-12-04 - Case File In TICRS

2005-10-18 - Attorney Revoked And/Or Appointed

2005-10-18 - TEAS Revoke/Appoint Attorney Received

2001-02-06 - Registered - Principal Register

2000-11-14 - Published for opposition

2000-10-13 - Notice of publication

2000-07-14 - Approved for Pub - Principal Register (Initial exam)

2000-03-18 - Communication received from applicant

2000-01-03 - Final refusal mailed

1999-09-10 - Communication received from applicant

1999-08-04 - Non-final action mailed

1999-07-27 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

M. Sue Michael, Amie Peele Carter, Charles Arnett, Ryan Barker, Kristiana Brugger, Abigail M. Butler, R. Trevor Carter, Adam F. Cox, Kevin R. Erdman, Meg A. Gallmeyer Gerard T. Gallagher, Brian Geisler, Eric J. Groen, Norman Hedges, Jennett M. Hill, John F. Hoffman, Jason Houser, Kareem A. Howell, Sarah M. Jabbari, Herbert Kerner, Thomas A. Ladd, Thomas J. Mauch, William Meyers, Timothy Niednagel, Anthony Niewyk, Robert D. Null, Michael D. Schwartz, Keith J. Swedo, Nancy G. Tinsley, John R. Troll, Daniel Tychonievich, and Doug Yerkeson

Correspondent

M. Sue Michael, Amie Peele Carter, Charl
Baker & Daniels LLP
Suite 2700
300 N. Meridian Street

Indianapolis IN 46204

Phone Number: (317) 237-0300

Fax Number: (317) 237-1000

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT **480**

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:37:42 ET

Serial Number: 75573142 Assignment Information

Registration Number: 2831046

Mark (words only): DIGITAL MAGIC CRUISER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-04-13

Filing Date: 1998-10-19

Transformed into a National Application: No

Registration Date: 2004-04-13

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-05-17

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sony Kabushiki Kaisha

Address:
Sony Kabushiki Kaisha
7-35 Kitashinagawa 6-chome Shinagawa-ku
Tokyo
Japan
Legal Entity Type: Corporation
State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
SEMICONDUCTORS; AUDIO/VISUAL APPARATUS INTENDED FOR GENERAL CONSUMER USE, NAMELY, TELEVISIONS, SET TOP BOXES, VIDEO TAPE PLAYERS/RECORDERS, VIDEO CAMERAS, VIDEO PROJECTORS, AUDIO TAPE PLAYERS/RECORDERS, AUDIO DISC PLAYERS/RECORDERS, RADIOS, MICROPHONES, SPEAKERS, HEADPHONES AND EARPHONES; TELECOMMUNICATIONS

APPARATUS, NAMELY, COMPUTERS, TELEPHONES AND FACSIMILE MACHINES

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Foreign Application Number: 10-58718

Foreign Registration Number: 4321895

Foreign Registration Date: 1999-10-08

Country: Japan

Foreign Filing Date: 1998-07-13

Foreign Expiration Date: 2009-10-08

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-04-14 - Ex parte appeal terminated
- 2004-04-13 - Registered - Principal Register
- 2004-01-20 - Published for opposition
- 2003-12-31 - Notice of publication
- 2003-11-18 - Approved for Pub - Principal Register (Initial exam)
- 2003-10-14 - ITU claim deleted
- 2003-10-14 - Communication received from applicant
- 2003-10-14 - PAPER RECEIVED
- 2003-05-21 - Inquiry as to suspension mailed
- 2003-05-05 - Case File In TICRS
- 2002-03-27 - Letter of suspension mailed
- 2002-03-04 - Communication received from applicant
- 2001-08-31 - Inquiry as to suspension mailed
- 2001-01-24 - Letter of suspension mailed
- 2000-10-23 - Assigned To Examiner

2000-08-14 - Communication received from applicant
2000-09-22 - Assigned To Examiner
2000-09-20 - Jurisdiction Restored To Examining Attorney
2000-09-20 - Ex parte appeal - Instituted
2000-06-14 - Assigned To Examiner
2000-02-09 - Final refusal mailed
1999-10-29 - Communication received from applicant
1999-05-05 - Non-final action mailed
1999-04-22 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

ROBERT B G HOROWITZ

Correspondent

ROBERT B G HOROWITZ
COOPER & DUNHAM LLP
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036

Domestic Representative

Robert B.G. Horowitz

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT

481

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:37:56 ET

Serial Number: 75909953 Assignment Information

Registration Number: 2825440

Mark (words only): DIGITool INSTRUMENTS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-03-23

Filing Date: 2000-02-03

Transformed into a National Application: No

Registration Date: 2004-03-23

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-03-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DigiTool Instruments AB

Address:

DigiTool Instruments AB
Gavelgatan 17
113 30 STOCKHOLM
Sweden

Legal Entity Type: LIMITED LIABILITY CORPORATION

State or Country Where Organized: Sweden

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

SCIENTIFIC MEASURING EQUIPMENT, NAMELY, MEASURING INSTRUMENTS USE WITH MANNED FREE BALLOONS FOR SHOWING ALTITUDE, RATE CLIMB AND TEMPERATURE

Basis: 1(a)

First Use Date: 2002-12-12

First Use in Commerce Date: 2002-12-12

ADDITIONAL INFORMATION

Disclaimer: "INSTRUMENTS"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-03-23 - Registered - Principal Register
- 2004-01-23 - Allowed for Registration - Principal Register (SOU accepted)
- 2003-12-16 - Communication received from applicant
- 2003-12-19 - Communication received from applicant
- 2004-01-05 - Case File In TICRS
- 2003-12-19 - PAPER RECEIVED
- 2003-06-16 - Non-final action mailed
- 2003-05-07 - Assigned To Examiner
- 2003-05-06 - Statement of use processing complete
- 2003-03-11 - Amendment to Use filed
- 2003-03-11 - TEAS Statement of Use Received
- 2002-09-17 - Notice of allowance - mailed
- 2002-06-25 - Published for opposition
- 2002-06-05 - Notice of publication
- 2002-04-23 - Approved for Pub - Principal Register (Initial exam)
- 2002-04-23 - Examiner's amendment mailed
- 2002-04-22 - Previous allowance count withdrawn
- 2002-04-06 - Approved for Pub - Principal Register (Initial exam)
- 2001-05-02 - Communication received from applicant
- 2002-03-26 - Assigned To Examiner

Latest Status Info

2002-03-04 - Assigned To Examiner

2002-03-01 - Petition To Revive-Granted

2001-05-02 - Petition To Revive-Received

2001-04-02 - Abandonment - Failure To Respond Or Late Response

2000-08-03 - Non-final action mailed

2000-07-24 - Assigned To Examiner

2000-07-12 - Assigned To Examiner

2000-07-12 - Assigned To Examiner

2000-07-10 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Daniel A. Rosenberg

Correspondent

DANIEL A. ROSENBERG
 DAVIS BROWN KOEHN SHORS & ROBERTS P C
 THE FINANCIAL CTR
 666 WALNUT ST STE 2500
 DES MOINES IA 50309-3993
 Phone Number: (515) 288-2500

Domestic Representative

Daniel A. Rosenberg

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

EXHIBIT

482

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:38:09 ET

Serial Number: 75071906 Assignment Information

Registration Number: 2136201

Mark (words only): DIGISCAN

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-03-19

Filing Date: 1996-03-13

Transformed into a National Application: No

Registration Date: 1998-02-10

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-03-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. J.P. Instruments

Address:

J.P. Instruments
3402 West MacArthur Boulevard
Santa Ana, CA 92704
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

engine temperature indicators

Basis: 1(a)

First Use Date: 1997-10-15

First Use in Commerce Date: 1997-10-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-03-19 - Section 8 (6-year) accepted & Section 15 acknowledged
- 2004-01-26 - Section 8 (6-year) and Section 15 Filed
- 1998-02-10 - Registered - Principal Register
- 1997-12-09 - Allowed for Registration - Principal Register (SOU accepted)
- 1997-12-02 - Statement of use processing complete
- 1997-10-27 - Amendment to Use filed
- 1997-05-13 - Notice of allowance - mailed
- 1997-02-18 - Published for opposition
- 1997-01-17 - Notice of publication
- 1996-09-26 - Approved for Pub - Principal Register (Initial exam)
- 1996-09-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
JOSEPH W. PRICE

Correspondent
JOSEPH W. PRICE
SNELL & WILMER LLP
1920 MAIN STREET, SUITE 1200
IRVINE, CA 92614

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 4183

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:38:21 ET

Serial Number: 75215067 Assignment Information

Registration Number: 2200945

Mark



(words only): DIGI

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-03-10

Filing Date: 1996-12-18

Transformed into a National Application: No

Registration Date: 1998-11-03

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-03-12

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DIGI INTERNATIONAL INC.

Address:

DIGI INTERNATIONAL INC.

11001 Bren Road East

Minnetonka, MN 55343

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer network connectivity hardware and software

Basis: 1(a)

First Use Date: 1994-07-00

First Use in Commerce Date: 1994-07-00

International Class: 037

Class Status: Active

maintenance and/or repair of computer network connectivity hardware

Basis: 1(a)

First Use Date: 1994-07-00

First Use in Commerce Date: 1994-07-00

International Class: 040

Class Status: Active

manufacture of computer network connectivity hardware to the specification of others

Basis: 1(a)

First Use Date: 1994-07-00

First Use in Commerce Date: 1994-07-00

International Class: 041

Class Status: Active

training, namely, providing classes and seminars in the use of computer network connectivity hardware and software

Basis: 1(a)

First Use Date: 1994-07-00

First Use in Commerce Date: 1994-07-00

International Class: 042

Class Status: Active

design for others of computer network connectivity hardware and software; maintenance, repair and technical support in the field of network connectivity hardware and software, namely, telephone support provided to purchasers and users of computer hardware and software, and writing of computer network connectivity software for others

Basis: 1(a)

First Use Date: 1994-07-00

First Use in Commerce Date: 1994-07-00

ADDITIONAL INFORMATION

Design Search Code(s):

26.11.21 - Rectangles that are completely or partially shaded

Prior Registration Number(s):

1663234

1666495

MADRID PROTOCOL INFORMATION

PROSECUTION HISTORY

2004-03-10 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-11-10 - Section 8 (6-year) and Section 15 Filed

1998-11-03 - Registered - Principal Register

1998-08-11 - Published for opposition

1998-07-13 - Notice of publication

1998-05-08 - Approved for Pub - Principal Register (Initial exam)

1998-02-20 - Communication received from applicant

1997-10-20 - Assigned To Examiner

1997-08-20 - Non-final action mailed

1997-08-05 - Assigned To Examiner

1997-07-31 - Assigned To Examiner

1997-07-31 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
MARSHA STOLT

Correspondent
MARSHA STOLT
FISH & RICHARDSON P.C., P.A.
3300 DAIN RAUSCHER PLAZA
62 SOUTH SIXTH STREET
MINNEAPOLIS MN 55402

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 464

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:38:31 ET

Serial Number: 75975822 Assignment Information

Registration Number: 2085032

Mark (words only): DIGIMARC

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-03-03

Filing Date: 1995-06-13

Transformed into a National Application: No

Registration Date: 1997-07-29

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-03-04

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DIGIMARC Corporation

Address:

DIGIMARC Corporation
1850 NW 113th Avenue
Portland, OR 97229
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Oregon

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer software for encoding image data so as to embed identification information therein, and software for decoding such encoded data to recover the identification information therefrom

Basis: 1(a)

First Use Date: 1996-10-29

First Use in Commerce Date: 1996-10-29

International Class: 042

Class Status: Active

consulting services in the field of steganography

Basis: 1(a)

First Use Date: 1996-10-28

First Use in Commerce Date: 1996-10-28

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-03 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-12-23 - Section 8 (6-year) and Section 15 Filed

1997-07-29 - Registered - Principal Register

1997-06-06 - Allowed for Registration - Principal Register (SOU accepted)

1997-05-05 - Communication received from applicant

1997-02-18 - Non-final action mailed

1997-01-28 - Assigned To Examiner

1997-01-26 - Statement of use processing complete

1996-10-31 - Amendment to Use filed

1997-01-26 - Divisional processing completed

1996-05-07 - Notice of allowance - mailed

1996-02-13 - Published for opposition

1996-01-16 - Notice of publication

1995-12-04 - Approved for Pub - Principal Register (Initial exam)

1995-11-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

BRIAN R. ANDERSON
VORYS SATER SEYMOUR AND PEASE LLP
ELEVENTH FLOOR, 1828 L STREET, NW
WASHINGTON, DC 20036-5109

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 4185

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:38:44 ET

Serial Number: 75709648 Assignment Information

Registration Number: 2577028

Mark

Personal Network by Digital Samsung

(words only): PERSONAL NETWORK BY DIGITAL SAMSUNG

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-06-11

Filing Date: 1999-05-17

Transformed into a National Application: No

Registration Date: 2002-06-11

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-06-25

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Samsung Electronics Co., Ltd.

Address:

Samsung Electronics Co., Ltd.

#416 Maetan-dong

Paldal-gu, Suwon-City, Kyungki-do

Republic of Korea

Legal Entity Type: Corporation

State or Country of Incorporation: Republic of Korea

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

Video cameras; optical fabric cables; television sets; automatic switch boards, namely, asynchronous transfer mode (ATM) switches; facsimile machines; mobile phones; digital video disk players; video tape recorders; sound reproduction apparatuses, namely, MP3 players and audio tape players; computers; electronic copying machines; printers for use with computers; semiconductors; integrated circuits

Basis: 44(e)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "PERSONAL NETWORK" and "DIGITAL"**Prior Registration Number(s):**

2214833

Foreign Application Number: 1999-0013817**Foreign Registration Number:** 0490093**Foreign Registration Date:** 2001-03-23**Country:** Republic of Korea**Foreign Filing Date:** 1999-04-27**Foreign Expiration Date:** 2011-03-23

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-02-11 - TEAS Change Of Correspondence Received

2002-06-11 - Registered - Principal Register

2002-03-27 - PAPER RECEIVED

2002-03-26 - ITU claim deleted

2002-03-12 - Published for opposition

2002-02-20 - Notice of publication

2001-08-15 - Approved for Pub - Principal Register (Initial exam)

2001-08-14 - Examiner's amendment mailed

2001-08-08 - Non-final action mailed

Latest Status Info

2001-04-19 - Communication received from applicant

2000-04-19 - Letter of suspension mailed

2000-03-15 - Communication received from applicant

1999-10-15 - Non-final action mailed

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Steve Cha

Correspondent

Steve Cha
 Cha & Reiter, LLC
 210 Route 4 East, Suite #103
 Paramus NJ 07652
 Phone Number: 201-226-9245
 Fax Number: 201-226-9246

Domestic Representative

Cha & Reiter

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 486

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:38:52 ET

Serial Number: 75707813 Assignment Information

Registration Number: 2566413

Mark

Mobile Network by Digital Samsung

(words only): MOBILE NETWORK BY DIGITAL SAMSUNG

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-05-07

Filing Date: 1999-05-17

Transformed into a National Application: No

Registration Date: 2002-05-07

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-06-06

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Samsung Electronics Co., Ltd.

Address:

Samsung Electronics Co., Ltd.
#416 Maetan-dong Paldal-gu, Suwon-city
Kyungki-do
Republic of Korea

Legal Entity Type: Corporation

State or Country of Incorporation: Republic of Korea

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

Video cameras; optical fabric cables; television sets; automatic switch boards, namely, asynchronous transfer mode (ATM) switches; facsimile machines; mobile phones; digital video disk players; video tape recorders; sound reproduction apparatuses, namely, MP3 players and audio tape players; computers; electronic copying machines; printers for use with computers; semiconductors; integrated circuits

Basis: 44(e)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "MOBILE NETWORK" and "DIGITAL"**Foreign Application Number:** 1999-0013816**Foreign Registration Number:** 0490092**Foreign Registration Date:** 2001-03-23**Country:** Republic of Korea**Foreign Filing Date:** 1999-04-27**Foreign Expiration Date:** 2011-03-23

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-02-11 - TEAS Change Of Correspondence Received

2002-05-07 - Registered - Principal Register

2002-03-27 - PAPER RECEIVED

2002-03-25 - ITU claim deleted

2002-01-22 - Published for opposition

2002-01-02 - Notice of publication

2001-08-15 - Approved for Pub - Principal Register (Initial exam)

2001-08-14 - Examiner's amendment mailed

2001-08-08 - Non-final action mailed

2001-04-19 - Communication received from applicant

2000-04-19 - Letter of suspension mailed

2000-03-15 - Communication received from applicant

1999-10-26 - Non-final action mailed

1999-10-21 - Assigned To Examiner

1999-10-12 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Steve S. Cha

Correspondent

Steve Cha

Cha & Reiter, LLC

210 Route 4 East, Suite #103

Paramus NJ 07652

Phone Number: 201-226-9245

Fax Number: 201-226-9246

Domestic Representative

Steve Cha

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 487

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:39:03 ET

Serial Number: 75707106 Assignment Information

Registration Number: 2568873

Mark

Home Network by Digital Samsung

(words only): HOME NETWORK BY DIGITAL SAMSUNG

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-05-14

Filing Date: 1999-05-17

Transformed into a National Application: No

Registration Date: 2002-05-14

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-05-21

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Samsung Electronics Co., Ltd.

Address:

Samsung Electronics Co., Ltd.
#416 Maetan-dong Paldal-gu, Suwon-city
Kyungki-do
Republic of Korea

Legal Entity Type: Corporation

State or Country of Incorporation: Republic of Korea

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Video cameras; optical fabric cables; television sets; automatic switch boards, namely, asynchronous transfer mode (ATM) switches; facsimile machines; mobile phones; digital video disk players; video tape recorders; sound reproduction apparatuses, namely, MP3 players and audio tape players; computers; electronic copying machines; printers for use with computers; semiconductors; integrated circuits

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "HOME NETWORK" and "DIGITAL"

Foreign Application Number: 1999-0013818

Foreign Registration Number: 0490094

Foreign Registration Date: 2001-03-23

Country: Republic of Korea

Foreign Filing Date: 1999-04-27

Foreign Expiration Date: 2011-03-23

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-02-11 - TEAS Change Of Correspondence Received

2002-05-14 - Registered - Principal Register

2002-03-19 - ITU claim deleted

2002-03-19 - Notice of Allowance canceled

2002-03-12 - Notice of allowance - mailed

2001-12-18 - Published for opposition

2001-11-28 - Notice of publication

2001-08-15 - Approved for Pub - Principal Register (Initial exam)

2001-08-14 - Examiner's amendment mailed

2001-08-08 - Non-final action mailed

Latest Status Info

2001-04-19 - Communication received from applicant
2000-04-19 - Letter of suspension mailed
2000-03-15 - Communication received from applicant
1999-10-15 - Non-final action mailed
1999-10-12 - Assigned To Examiner
1999-10-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Steve S. Cha

Correspondent

Steve Cha
Cha & Reiter, LLC
210 Route 4 East, Suite #103
Paramus NJ 07652
Phone Number: 201-226-9245
Fax Number: 201-226-9246

Domestic Representative

Steve Cha

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 488

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:39:14 ET

Serial Number: 75373466 Assignment Information

Registration Number: 2462018

Mark

DigiGate

(words only): DIGIGATE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-06-19

Filing Date: 1997-10-15

Transformed into a National Application: No

Registration Date: 2001-06-19

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-10-23

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Gateway Communications, Inc.

Address:

Gateway Communications, Inc.
904 S. Park
Tucson, AZ 85719
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Arizona

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

wireless radio communications systems having as major components remote terminal transceiver units; cellsite transceiver units; computers; routers; computer hardware communications servers, and computer operating programs therefore, all for use in wireless radio communication and transmission of data

Basis: 1(a)

First Use Date: 1998-01-12

First Use in Commerce Date: 1998-01-12

International Class: 037

Class Status: Active

installation of wireless communication systems having as major components remote transceiver units; cellsite transceiver units; computers; routers; and server units and software utilized to run the wireless communication system

Basis: 1(a)

First Use Date: 1998-01-12

First Use in Commerce Date: 1998-01-12

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-10-23 - Case File In TICRS
- 2001-06-19 - Registered - Principal Register
- 2001-02-06 - Allowed for Registration - Principal Register (SOU accepted)
- 2000-10-31 - Communication received from applicant
- 2000-10-31 - Communication received from applicant
- 2000-09-05 - Non-final action mailed
- 2000-09-04 - Assigned To Examiner
- 2000-08-18 - Assigned To Examiner
- 2000-08-16 - Statement of use processing complete
- 2000-06-12 - Amendment to Use filed

Latest Status Info

2000-05-16 - Notice of allowance - mailed
2000-03-30 - Opposition terminated for Proceeding
2000-03-30 - Opposition dismissed for Proceeding
1999-06-10 - Opposition instituted for Proceeding
1998-10-22 - Extension Of Time To Oppose Received
1998-09-22 - Published for opposition
1998-08-21 - Notice of publication
1998-06-30 - Approved for Pub - Principal Register (Initial exam)
1998-06-19 - Examiner's amendment mailed
1998-06-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

PETER D EISNER

Correspondent

PETER D. EISNER
MENDELSON OSERAN & EISNER PC
2730 E BROADWAY STE 100
TUCSON, AZ 85716

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
)
Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 489

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:39:32 ET

Serial Number: 75679803 Assignment Information

Registration Number: 2593391

Mark

DIGITAL-LOGIC

(words only): DIGITAL-LOGIC

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-07-16

Filing Date: 1999-04-08

Transformed into a National Application: No

Registration Date: 2002-07-16

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-12-23

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Digital-Logic AG

Address:

Digital-Logic AG
Nordstrasse 4F
Luterbach 4542
Switzerland

Legal Entity Type: Corporation

State or Country of Incorporation: Switzerland

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER HARDWARE AND COMPUTER SOFTWARE FOR USE AS AN EMBEDDED OPERATING SYSTEM

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 016

Class Status: Active

Printed instructional, educational, and teaching materials in the field of computers

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 042

Class Status: Active

Computer programming for others

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL-LOGIC"

Design Search Code(s):

15.05.04 - CPU (central processing unit); Computer devices; Mainframes (computer); PDAs (handheld computer); Printer (computer); Servers, computer; Tape drives (computer)

26.01.21 - Circles that are totally or partially shaded.

27.03.05 - Objects forming letters or numerals

Foreign Application Number: 39858147.9

Foreign Registration Number: 39858147

Foreign Registration Date: 1999-02-05

Country: Fed Rep Germany

Foreign Filing Date: 1998-10-09

Foreign Expiration Date: 2008-10-31

Foreign Application Number: 19991631

Foreign Registration Number: 465546

Foreign Registration Date: 1999-10-06

Country: Switzerland

Foreign Filing Date: 1999-02-23

Foreign Expiration Date: 2009-02-23

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-12-17 - Section 7 correction issued
2003-08-19 - Section 7 amendment filed
2003-08-19 - PAPER RECEIVED
2003-05-22 - Section 7 correction issued
2003-03-28 - Section 7 amendment filed
2003-03-28 - PAPER RECEIVED
2002-07-16 - Registered - Principal Register
2002-04-23 - Published for opposition
2002-04-03 - Notice of publication
2001-10-06 - Approved for Pub - Principal Register (Initial exam)
2001-09-04 - Assigned To Examiner
2001-07-17 - Communication received from applicant
2001-01-17 - Non-final action mailed
2001-01-11 - Assigned To Examiner
2000-12-05 - Assigned To Examiner
2000-08-07 - Final refusal mailed
2000-03-28 - Communication received from applicant
2000-03-28 - ITU claim deleted
1999-09-30 - Non-final action mailed
1999-09-20 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

NICOLE B. EMMONS

Correspondent

NICOLE B. EMMONS
BAKER & MCKENZIE
2300 TRAMMELL CROW CENTER

2001 ROSS AVENUE
DALLAS, TEXAS 75201

Domestic Representative
Baker & McKenzie

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 490

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:39:44 ET

Serial Number: 75220965 Assignment Information

Registration Number: 2130378

Mark



(words only): DIGITECTIVE

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2003-12-13

Filing Date: 1997-01-03

Transformed into a National Application: No

Registration Date: 1998-01-20

Register: Principal

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-01-23

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. North American Manufacturing Company, The

Address:

North American Manufacturing Company, The
4455 E. 71st Street
Cleveland, OH 44105
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Ohio

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
electronic digital annunciator of circuit conditions
Basis: 1(a)
First Use Date: 1975-05-01
First Use in Commerce Date: 1975-05-01

ADDITIONAL INFORMATION

Design Search Code(s):
09.05.01 - Caps, including visors, military caps and baseball caps
10.01.04 - Pipes (Tobacco, smokers' materials, matches)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-12-13 - Section 8 (6-year) accepted & Section 15 acknowledged
2003-10-20 - Section 8 (6-year) and Section 15 Filed
1998-01-20 - Registered - Principal Register
1997-10-28 - Published for opposition
1997-09-26 - Notice of publication
1997-08-27 - Approved for Pub - Principal Register (Initial exam)
1997-08-19 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
MEREDITH M. WILKES

Correspondent
MEREDITH M. WILKES
JONES DAY
NORTH POINT
901 LAKESIDE AVE.
CLEVELAND, OH 44114.

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
)
Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 491

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:39:56 ET

Serial Number: 75936425 Assignment Information

Registration Number: 2436937

Mark (words only): DIGICELL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-03-20

Filing Date: 2000-03-06

Transformed into a National Application: No

Registration Date: 2001-03-20

Register: Principal

Law Office Assigned: LAW OFFICE 101

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-11-24

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. CELLEMETRY LLC

Address:
CELLEMETRY LLC
1600 Parkwood Circle Suite 500
Atlanta, GA 30339
United States
Legal Entity Type: Ltd Liab Co
State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
digital cellular communication units for wireless transmission of security alarm data to any central system
Basis: 1(a)
First Use Date: 1996-00-00
First Use in Commerce Date: 1996-00-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-12-21 - TEAS Section 8 & 15 Received
- 2006-12-21 - Applicant/Correspondence Changes (Non-Responsive) Entered
- 2006-12-21 - TEAS Change Of Owner Address Received
- 2006-12-21 - Attorney Revoked And/Or Appointed
- 2006-12-21 - TEAS Revoke/Appoint Attorney Received
- 2006-11-24 - Case File In TICRS
- 2004-01-15 - TEAS Change Of Correspondence Received
- 2001-03-20 - Registered - Principal Register
- 2000-12-26 - Published for opposition
- 2000-11-24 - Notice of publication
- 2000-08-28 - Approved for Pub - Principal Register (Initial exam)
- 2000-08-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
W. Scott Petty, Lisa B. Sims

Correspondent
Pamela S. Lester, Esq.
Numerex Corp.
1600 Parkwood Circle SE
Suite 200
Atlanta GA 30339-2119
Phone Number: 770.485.2589
Fax Number: 770.693.5951

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS
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EXHIBIT 492

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:40:07 ET

Serial Number: 75827999 Assignment Information

Registration Number: 2407502

Mark (words only): DIGIPAGE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2000-11-21

Filing Date: 1999-10-20

Transformed into a National Application: No

Registration Date: 2000-11-21

Register: Supplemental

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-08-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. TSI GRAPHICS, INC.

Address:

TSI GRAPHICS, INC.
1035 Hanley Industrial Court
St. Louis, MO 631441986
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

CDROMS AND MAGNETIC TAPE, FEATURING DIGITAL INFORMATION FOR VISUAL IMAGES, NAMELY, GRAPHICS AND TEXT WHICH MAY BE PRINTED USING A PRINTING PRESS, OR USED BY A PRINTER TO MAKE PRINTING PLATES USED ON THE PRESS TO PRINT THE IMAGE

Basis: 1(a)

First Use Date: 1998-09-00

First Use in Commerce Date: 1998-09-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-08-09 - Case File In TICRS
- 2004-01-15 - TEAS Change Of Correspondence Received
- 2000-11-21 - Registered - Supplemental Register
- 2000-09-11 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER
- 2000-09-06 - Examiner's amendment mailed
- 2000-06-12 - Communication received from applicant
- 2000-04-07 - Non-final action mailed
- 2000-04-06 - Assigned To Examiner
- 2000-03-24 - Assigned To Examiner
- 2000-03-23 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
J. JOSEPH MULLER

Correspondent
J. Joseph Muller
Polster, Lieder, Woodruff & Lucchesi
Suite 200
12412 Powerscourt Drive
St. Louis MO 63131
Phone Number: 314 238-2400
Fax Number: 314 238-2401

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 493

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:40:21 ET

Serial Number: 75820483 Assignment Information

Registration Number: 2805165

Mark (words only): DIGIWAXX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-01-13

Filing Date: 1999-11-02

Transformed into a National Application: No

Registration Date: 2004-01-13

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-01-20

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Digiwaxx, LLC

Address:

Digiwaxx, LLC
22 McLean Avenue
White Plains, NY 10607
United States

Legal Entity Type: Ltd Liab Co

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

downloadable musical sound recordings

Basis: 1(a)

First Use Date: 1998-12-01

First Use in Commerce Date: 1999-06-07

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-01-13 - Registered - Principal Register
- 2003-11-13 - Allowed for Registration - Principal Register (SOU accepted)
- 2003-10-03 - Assigned To Examiner
- 2003-09-11 - Assigned To Examiner
- 2003-09-06 - Case File In TICRS
- 2003-08-25 - Assigned To Examiner
- 2003-07-21 - Assigned To Examiner
- 2003-07-09 - Assigned To Examiner
- 2003-06-23 - Statement of use processing complete
- 2003-03-27 - Amendment to Use filed
- 2003-03-27 - TEAS Statement of Use Received
- 2003-01-28 - Notice of allowance - mailed
- 2002-10-31 - Opposition terminated for Proceeding
- 2002-10-31 - Opposition dismissed for Proceeding
- 2000-10-19 - Opposition instituted for Proceeding
- 2000-07-14 - Opposition papers filed
- 2000-06-20 - Published for opposition
- 2000-05-19 - Notice of publication
- 2000-04-04 - Approved for Pub - Principal Register (Initial exam)
- 2000-03-16 - Examiner's amendment mailed
- 2000-03-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

STEPHEN C CHUKUMBA JR

Correspondent

STEPHEN C CHUKUMBA JR
CHUKUMBA & COOK, LLC
427 BLOOMFIELD AVE, SUITE 406
MONTCLAIR, NJ 07042

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 494

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:40:31 ET

Serial Number: 75220966 Assignment Information

Registration Number: 2130379

Mark (words only): DIGITECTIVE

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2003-12-24

Filing Date: 1997-01-03

Transformed into a National Application: No

Registration Date: 1998-01-20

Register: Principal

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-12-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. North American Manufacturing Company, The

Address:

North American Manufacturing Company, The
4455 E. 71st Street
Cleveland, OH 44105
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Ohio

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

electronic digital annunciator of circuit conditions

Basis: 1(a)

First Use Date: 1975-05-01

First Use in Commerce Date: 1975-05-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-12-24 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-10-20 - Section 8 (6-year) and Section 15 Filed

1998-01-20 - Registered - Principal Register

1997-10-28 - Published for opposition

1997-09-26 - Notice of publication

1997-08-27 - Approved for Pub - Principal Register (Initial exam)

1997-08-19 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

MEREDITH M. WILKES

Correspondent

MEREDITH M. WILKES

JONES DAY

NORTH POINT

901 LAKESIDE AVE

CLEVELAND OH 44114

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 495

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:40:41 ET

Serial Number: 75983361 Assignment Information

Registration Number: 2798132

Mark (words only): POLYPHONY DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-12-23

Filing Date: 2000-01-13

Transformed into a National Application: No

Registration Date: 2003-12-23

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-01-06

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sony Computer Entertainment Inc.

Address:

Sony Computer Entertainment Inc.

1-1, Akasaka 7-chome

Minato-ku, Tokyo 107-0052

Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER GAME SOFTWARE RECORDED ON MAGNETIC OR OPTICAL DISCS; RECORDED VIDEO DISCS FEATURING GAMES

Basis: 1(a)

First Use Date: 1999-09-14

First Use in Commerce Date: 1999-09-14

International Class: 016

Class Status: Active

PRINTED PUBLICATIONS, NAMELY, BOOKS AND MAGAZINES ON COMPUTER GAMES

Basis: 1(a)

First Use Date: 1999-09-14

First Use in Commerce Date: 1999-09-14

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-12-23 - Registered - Principal Register

2003-10-19 - Allowed for Registration - Principal Register (SOU accepted)

2003-10-06 - Assigned To Examiner

2003-08-29 - Statement of use processing complete

2003-04-10 - Amendment to Use filed

2003-08-30 - Divisional processing completed

2003-01-10 - Divisional request received

2003-08-18 - FAX RECEIVED

2003-04-10 - PAPER RECEIVED

2003-02-18 - Notice of allowance - mailed

2002-11-26 - Published for opposition

2002-11-06 - Notice of publication

2002-09-13 - Approved for Pub - Principal Register (Initial exam)

2002-08-15 - Petition To Revive-Granted

2002-02-15 - Petition To Revive-Received

2001-12-18 - Abandonment - Failure To Respond Or Late Response

2001-03-14 - Final refusal mailed

2001-01-03 - Communication received from applicant

2000-07-03 - Non-final action mailed

2000-06-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

RONALD P. KANANEN
RADER, FISHMAN & GRAUER PLLC
LION BUILDING, SUITE 501
1233 20TH STREET
WASHINGTON, D.C. 20036
Phone Number: 202-955-3750

Domestic Representative

Ronald P. Kananen
Phone Number: 202-955-3750

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

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EXHIBIT 496

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:40:54 ET

Serial Number: 75587106 Assignment Information

Registration Number: 2790012

Mark (words only): DIGITOOLS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-12-09

Filing Date: 1998-11-12

Transformed into a National Application: No

Registration Date: 2003-12-09

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-12-16

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Stone, Adam

Address:

Stone, Adam
423 Highland Court
Clyde, CA 94520
United States

Legal Entity Type: Individual

Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for use in construction industry logistics processes, namely, the design, engineering, bidding, programming and construction of components in residential and commercial structures

Basis: 1(a)

First Use Date: 1998-08-01

First Use in Commerce Date: 1998-10-09

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2003-12-09 - Registered - Principal Register
- 2003-09-16 - Published for opposition
- 2003-08-27 - Notice of publication
- 2003-07-24 - Approved for Pub - Principal Register (Initial exam)
- 2002-12-04 - Assigned To Examiner
- 2002-05-29 - Letter of suspension mailed
- 2002-05-23 - Assigned To Examiner
- 2002-05-23 - Assigned To Examiner
- 2000-01-12 - Letter of suspension mailed
- 1999-06-18 - Non-final action mailed
- 1999-06-10 - Assigned To Examiner
- 1999-06-04 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Bruce D. Holloway

Correspondent
BRUCE D. HOLLOWAY
VENTURE COUNSEL ASSOCIATES, LLP
1999 HARRISON STREET, SUITE 1300
OAKLAND, CALIFORNIA 94612

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
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DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 497

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:41:03 ET

Serial Number: 75977016 Assignment Information

Registration Number: 2166630

Mark



(words only): DTS DIGITAL SURROUND

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2003-12-04

Filing Date: 1996-04-19

Transformed into a National Application: No

Registration Date: 1998-06-16

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-12-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Digital Theater Systems, Inc.

Address:

Digital Theater Systems, Inc.
31336 Via Colinas, Suite 104
Westlake Village, CA 91362
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

compact discs featuring music and/or voice recordings and motion picture sound tracks to be played in synchronism with motion pictures, laser discs featuring audio visual recordings, digital video discs featuring audio visual recordings

Basis: 1(a)

First Use Date: 1996-12-00

First Use in Commerce Date: 1996-12-00

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL SURROUND"

Design Search Code(s):

26.11.21 - Rectangles that are completely or partially shaded

Prior Registration Number(s):

1794209

1917452

1936747

1943794

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-12-04 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-10-09 - Section 8 (6-year) and Section 15 Filed

1998-12-11 - Section 7 correction issued

1998-07-13 - Section 7 amendment filed

1998-06-16 - Registered - Principal Register

1998-03-30 - Allowed for Registration - Principal Register (SOU accepted)

1998-02-20 - Statement of use processing complete

1998-02-20 - Extension 1 granted

1997-12-19 - Extension 1 filed

1997-12-19 - Amendment to Use filed

Latest Status Info

1998-02-24 - Divisional processing completed
1997-07-01 - Notice of allowance - mailed
1997-04-08 - Published for opposition
1997-03-07 - Notice of publication
1997-01-04 - Approved for Pub - Principal Register (Initial exam)
1996-12-23 - Examiner's amendment mailed
1996-10-17 - Non-final action mailed
1996-09-26 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

BLAKE A. WELCHER

Correspondent

BLAKE A. WELCHER
BLAKE A. WELCHER
5171 CLARETON DRIVE
AGOURA HILLS, CA 91301

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 498

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:41:15 ET

Serial Number: 75775523 Assignment Information

Registration Number: 2596183

Mark (words only): DIGITAL DEAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-07-16

Filing Date: 1999-09-10

Transformed into a National Application: No

Registration Date: 2002-07-16

Register: Supplemental

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-07-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DIGITAL RESTAURANT SOLUTIONS, LLC

Address:

DIGITAL RESTAURANT SOLUTIONS, LLC

525 South Flagler Dr. Suite 301

West Palm Beach, FL 33401

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER HARDWARE AND SOFTWARE FOR UPDATING POINT-OF-SALE DATA, FOR REMOTE ORDERING, FOR PROVIDING INCENTIVES TO CONSUMERS AND EMPLOYEES, FOR IMPROVING SERVICE TO CONSUMERS, AND FOR INCREASING SALES OF PRODUCTS BY ENCOURAGING CONSUMERS TO PURCHASE ADDITIONAL ITEMS FOR USE IN CONNECTION WITH IN-STORE, MAIL-

ORDER AND ON-LINE RETAIL TRANSACTIONS; COMPUTER HARDWARE AND SOFTWARE FOR USE IN CONNECTION WITH CASH REGISTER AND VENDING MACHINE RETAIL TRANSACTIONS AT RETAIL STORES, FAST FOOD OUTLETS AND CONVENIENCE FOOD OUTLETS; AND OPERATING SOFTWARE FOR POINT-OF-SALE TERMINALS AND REMOTE ORDERING SYSTEMS COMPRISING CASH REGISTERS, ELECTRONIC SCANNERS, COMPUTER TERMINALS, AND MODEMS, AND VOICE RECOGNITION ANALYZERS

Basis: 1(a)

First Use Date: 1999-11-00

First Use in Commerce Date: 1999-11-00

International Class: 035

Class Status: Active

LICENSING OF COMPUTER SOFTWARE AND HARDWARE; DISSEMINATION OF ADVERTISING FOR OTHERS BY DIRECT MAIL; DISSEMINATION OF ON-LINE ADVERTISING FOR OTHERS VIA A GLOBAL COMPUTER NETWORK; CUSTOMER RELATIONS SERVICES, NAMELY, THE CREATION OF CUSTOMIZED PROMOTIONAL POINT-OF SALE OFFERS GENERATED BY COMPUTER ANALYSIS OF MULTIPLE VARIABLES INCLUDING, THE ORIGINAL TRANSACTION COST AND THE AMOUNT OF CHANGE DUE; CUSTOMER RETENTION AND LOYALTY PROGRAMS FOR THE RETAIL INDUSTRY INCLUDING THE PROVISION OF ON-LINE INFORMATION VIA GLOBAL, WIDE AREA AND LOCAL AREA COMPUTER NETWORKS IN THE FIELD OF POINT-OF-SALE AND CUSTOMER RETENTION PROGRAM DATA

Basis: 1(a)

First Use Date: 1999-11-00

First Use in Commerce Date: 1999-11-00

International Class: 038

Class Status: Active

ELECTRONIC TRANSMISSION OF POINT-OF-SALE AND CUSTOMER RETENTION PROGRAM DATA VIA A GLOBAL COMPUTER NETWORK; AND ELECTRONIC TRANSMISSION OF POINT-OF-SALE AND CUSTOMER RETENTION PROGRAM DATA VIA LOCAL COMPUTER NETWORK

Basis: 1(a)

First Use Date: 1999-11-00

First Use in Commerce Date: 1999-11-00

International Class: 042

Class Status: Active

GLOBAL COMPUTER NETWORK SERVICES, NAMELY, COMPUTER CONSULTING, DATABASE DEVELOPMENT SERVICES, DESIGN AND DEVELOPMENT OF SOFTWARE APPLICATIONS FOR OTHERS, CREATING WEB SITES FOR OTHERS, AND LICENSING OF INTELLECTUAL PROPERTY

Basis: 1(a)

First Use Date: 1999-11-00

First Use in Commerce Date: 1999-11-00

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-26 - TEAS Change Of Correspondence Received
2005-07-25 - TEAS Change Of Owner Address Received
2003-12-02 - TEAS Change Of Correspondence Received
2002-07-16 - Registered - Supplemental Register
2002-03-26 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER
2002-03-26 - Amendment to Use approved
2002-03-01 - Communication received from applicant
2002-03-21 - Amendment to use processing complete
2002-02-27 - Amendment to Use filed
2002-02-27 - Communication received from applicant
2001-08-28 - Final refusal mailed
2001-05-03 - Communication received from applicant
2000-11-03 - Non-final action mailed
2000-05-12 - Communication received from applicant
2000-02-22 - Non-final action mailed
2000-01-13 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jamie J. Fitzgerald

Correspondent

JAMIE J. FITZGERALD

WIGGIN AND DANA

16th Fl.

ONE CENTURY TOWER, 265 CHURCH ST.

NEW HAVEN CT 06510-7001

Phone Number: 203-498-4563

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 499

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:41:26 ET

Serial Number: 75084848 Assignment Information

Registration Number: 2102794

Mark (words only): DIGIFLY

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2003-12-02

Filing Date: 1996-04-08

Transformed into a National Application: No

Registration Date: 1997-10-07

Register: Principal

Law Office Assigned: LAW OFFICE 104

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-12-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DIGIFLY EUROPE S.R.L.

Address:

DIGIFLY EUROPE S.R.L.
VIA STRADELLI GUELFI NO. 53
BOLOGNA
Italy

Legal Entity Type: Corporation

State or Country of Incorporation: Italy

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

electronic instruments for flight, namely, altimeters, variometers, wind gauges, barometers, instruments for range finding, mach-angle-setting instruments, REV meters for the motor and rotor, directional compasses, and speedometers

Basis: 1(a)

First Use Date: 1990-11-00

First Use in Commerce Date: 1993-03-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-12-02 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-10-05 - Section 8 (6-year) and Section 15 Filed

2003-10-05 - TEAS Section 8 & 15 Received

1997-10-07 - Registered - Principal Register

1997-07-15 - Published for opposition

1997-06-13 - Notice of publication

1997-05-12 - Approved for Pub - Principal Register (Initial exam)

1997-04-30 - Examiner's amendment mailed

1997-03-03 - Communication received from applicant

1996-09-25 - Non-final action mailed

1996-09-13 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Richard M. Goldberg

CorrespondentRICHARD M. GOLDBERG
GOLDBERG PATENT LAW OFFICE
25 EAST SALEM STREET
SUITE 419
HACKENSACK NJ 07601**Domestic Representative**

RICHARD M. GOLDBERG

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 500

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:41:36 ET

Serial Number: 75978882 Assignment Information

Registration Number: 2322515

Mark (words only): DIGITAL DJ

Standard Character claim: No

Current Status: Registration canceled under Section 8.

Date of Status: 2006-11-25

Filing Date: 1997-02-06

Transformed into a National Application: No

Registration Date: 2000-02-22

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-05-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DIGITAL DJ INC.

Address:

DIGITAL DJ INC.
1375 MCCANDLESS DR
MILPITAS, CA 95035
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Section 8 - Cancelled

computer software for use in the electronic transmission, reception and interactive communication of information, text, sound, images, data and programming on a wide variety of subjects via communications networks; user manuals provided as a unit therewith

No Filing Basis Claimed

First Use Date: 1998-04-00**First Use in Commerce Date:** 1998-04-00

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-11-25 - Canceled Section 8 (6-year)

2006-05-19 - Case File In TICRS

2000-02-22 - Registered - Principal Register

1999-12-09 - Allowed for Registration - Principal Register (SOU accepted)

1999-11-17 - Statement of use processing complete

1999-07-27 - Amendment to Use filed

1999-11-04 - Divisional processing completed

1999-02-24 - Extension 2 granted

1999-01-27 - Extension 2 filed

1998-07-24 - Extension 1 granted

1998-07-24 - Extension 1 filed

1998-01-27 - Notice of allowance - mailed

1997-11-04 - Published for opposition

1997-10-03 - Notice of publication

1997-09-08 - Approved for Pub - Principal Register (Initial exam)

1997-08-22 - Examiner's amendment mailed

1997-08-14 - Assigned To Examiner

1997-05-23 - Communication received from applicant

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

SALLY M ABEL

Correspondent

SALLY M ABEL

FENWICK & WEST LLP

2 PALO ALTO SQ STE 800

PALO ALTO CA 94306

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 501

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:42:10 ET

Serial Number: 75443375 Assignment Information

Registration Number: 2322326

Mark (words only): DIGIPATH

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-05-10

Filing Date: 1998-03-02

Transformed into a National Application: No

Registration Date: 2000-02-22

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-05-25

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Xerox Corporation

Address:

Xerox Corporation
P.O. Box 1600 800 Long Ridge Road
Stamford, CT 06904
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New York

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for printers

No Filing Basis Claimed

First Use Date: 1998-05-00

First Use in Commerce Date: 1998-05-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-25 - Case File In TIGRS

2006-05-10 - Section 8 (6-year) accepted & Section 15 acknowledged

2006-05-10 - Assigned To Paralegal

2006-02-22 - Section 8 (6-year) and Section 15 Filed

2006-02-22 - TEAS Section 8 & 15 Received

2000-02-22 - Registered - Principal Register

1999-12-14 - Allowed for Registration - Principal Register (SOU accepted)

1999-12-14 - Assigned To Examiner

1999-12-07 - Statement of use processing complete

1999-12-07 - Extension 1 granted

1999-11-04 - Amendment to Use filed

1999-11-04 - Extension 1 filed

1999-05-04 - Notice of allowance - mailed

1999-02-09 - Published for opposition

1999-01-08 - Notice of publication

1998-11-09 - Approved for Pub - Principal Register (Initial exam)

1998-11-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
DON L WEBBER

Correspondent

DON L WEBBER

XEROX CORP

PO BOX 1600

STAMFORD CT 06904-1600

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 502

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:42:21 ET

Serial Number: 75443356 Assignment Information

Registration Number: 2317161

Mark (words only): DIGIBOOK

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-01-30

Filing Date: 1998-03-02

Transformed into a National Application: No

Registration Date: 2000-02-08

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-05-12

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. TRIWORKS CORP.

Address:

TRIWORKS CORP.
TOUTATE-NAGAI BLDG., 3F 2-12-24, SHIBUYA
TOKYO 150-0002
Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

book size hand held computers and integrated software for downloading books, text and graphics, and for displaying text and graphics in a book format

No Filing Basis Claimed

First Use Date: 1996-05-11**First Use in Commerce Date:** 1996-06-10

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-12 - Case File In TICRS

2006-01-30 - Section 8 (6-year) accepted & Section 15 acknowledged

2006-01-27 - Assigned To Paralegal

2005-12-20 - Section 8 (6-year) and Section 15 Filed

2005-12-20 - PAPER RECEIVED

2005-08-09 - PAPER RECEIVED

2000-02-08 - Registered - Principal Register

1999-11-28 - Allowed for Registration - Principal Register (SOU accepted)

1999-11-24 - Assigned To Examiner

1999-10-18 - Statement of use processing complete

1999-10-18 - Amendment to Use filed

1999-08-24 - Notice of allowance - mailed

1999-03-15 - Extension Of Time To Oppose Received

1999-02-09 - Published for opposition

1999-01-08 - Notice of publication

1998-11-09 - Approved for Pub - Principal Register (Initial exam)

1998-11-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

CHARLES M. MARMELSTEIN

Correspondent

CHARLES MARMELSTEIN

ARENT FOX PLLC

1050 CONNECTICUT AVENUE, N.W.

SUITE 400

WASHINGTON, DC 20036-5339

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 503

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:42:33 ET

Serial Number: 75439163 Assignment Information

Registration Number: 2333734

Mark (words only): DIGITAL DETECTIVE

Standard Character claim: No

Current Status: Registration canceled under Section 8.

Date of Status: 2006-12-23

Filing Date: 1998-02-23

Transformed into a National Application: No

Registration Date: 2000-03-21

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-04-26

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Digital Processing Systems, Inc.

Address:
Digital Processing Systems, Inc.
70 Valleywood Drive
Markham, Ontario L3R 4T5
Canada

Legal Entity Type: Corporation
State or Country of Incorporation: Canada

GOODS AND/OR SERVICES

International Class: 009
Class Status: Section 8 - Cancelled
digital video disc recorder for the closed circuit television market
No Filing Basis Claimed

First Use Date: 1998-04-01

First Use in Commerce Date: 1998-04-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-12-23 - Canceled Section 8 (6-year)
- 2006-04-26 - Case File In TICRS
- 2000-03-21 - Registered - Principal Register
- 1999-12-21 - Allowed for Registration - Principal Register (SOU accepted)
- 1999-12-16 - Assigned To Examiner
- 1999-12-01 - Statement of use processing complete
- 1999-10-27 - Amendment to Use filed
- 1999-08-17 - Notice of allowance - mailed
- 1999-05-25 - Published for opposition
- 1999-04-23 - Notice of publication
- 1999-02-25 - Approved for Pub - Principal Register (Initial exam)
- 1998-12-10 - Communication received from applicant
- 1998-10-02 - Non-final action mailed
- 1998-09-29 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
PATRICIA B HOGAN

Correspondent
PATRICIA B HOGAN
DINSMORE & SHOHL LLP
1900 CHEMED CTR
255 E 5TH ST
CINCINNATI OH 45202

Domestic Representative
Dinsmore & Shohl

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 504

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:42:46 ET

Serial Number: 75424343 Assignment Information

Registration Number: 2307875

Mark (words only): DIGITAL REFERENCE

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-05-09

Filing Date: 1998-01-27

Transformed into a National Application: No

Registration Date: 2000-01-11

Register: Principal

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2006-05-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. GUITAR CENTER, INC.

Address:

GUITAR CENTER, INC.
5795 LINDERO CANYON ROAD
WESTLAKE VILLAGE, CA 91362
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

MICROPHONES, HEADPHONES, AND WIRELESS RECEIVERS AND HEADSETS

No Filing Basis Claimed

First Use Date: 1995-05-31

First Use in Commerce Date: 1995-05-31

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-10-25 - Automatic Update Of Assignment Of Ownership

2006-05-09 - Section 8 (6-year) accepted & Section 15 acknowledged

2005-02-09 - Section 8 (6-year) and Section 15 Filed

2005-02-09 - TEAS Section 8 & 15 Received

2000-01-11 - Registered - Principal Register

1999-11-16 - Allowed for Registration - Principal Register (SOU accepted)

1999-11-10 - Assigned To Examiner

1999-11-10 - Assigned To Examiner

1999-10-28 - Statement of use processing complete

1999-09-23 - Amendment to Use filed

1999-03-23 - Notice of allowance - mailed

1998-12-29 - Published for opposition

1998-11-27 - Notice of publication

1998-11-02 - Approved for Pub - Principal Register (Initial exam)

1998-10-28 - Examiner's amendment mailed

1998-09-17 - Assigned To Examiner

1998-09-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
NED S ROBERTSON

Correspondent

NED S ROBERTSON
ARONBERG GOLDGEHN DAVIS & GARMISA
ONE IBM PLAZA, STE. 3000
CHICAGO IL 60611

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 505

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:42:58 ET

Serial Number: 75341956 Assignment Information

Registration Number: 2314898

Mark (words only): DIGIGARD

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2005-09-30

Filing Date: 1997-08-15

Transformed into a National Application: No

Registration Date: 2000-02-01

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 834 -Post Registration

Date In Location: 2005-09-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Paradox Security Systems Ltd./Systemes de Securite Paradox Ltee.

Address:
Paradox Security Systems Ltd./Systemes de Securite Paradox Ltee.
780 Industrial Boulevard
St. Eustache, Quebec J7R 5V3
Canada

Legal Entity Type: Corporation
State or Country of Incorporation: Canada

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
security systems, namely, motion detectors
No Filing Basis Claimed

First Use Date: 1998-12-08

First Use in Commerce Date: 1998-12-08

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-09-30 - Section 8 (6-year) accepted & Section 15 acknowledged

2005-09-30 - Assigned To Paralegal

2005-08-10 - Section 8 (6-year) and Section 15 Filed

2005-08-10 - TEAS Section 8 & 15 Received

2000-02-01 - Registered - Principal Register

1999-11-17 - Allowed for Registration - Principal Register (SOU accepted)

1999-11-12 - Assigned To Examiner

1999-11-03 - Statement of use processing complete

1999-10-06 - Amendment to Use filed

1999-03-30 - Extension 1 granted

1999-03-05 - Extension 1 filed

1998-10-06 - Notice of allowance - mailed

1998-07-14 - Published for opposition

1998-06-12 - Notice of publication

1998-04-20 - Approved for Pub - Principal Register (Initial exam)

1998-04-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

B. Parker Livingston, Jr.

Correspondent

B. Parker Livingston, Jr.

BURNS DOANE SWECKER & MATHIS LLP
PO BOX 1404
ALEXANDRIA VA 22313-1404

Domestic Representative

Burns, Doane, Swecker & Mathis, L.L.P.

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 50b

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:43:12 ET

Serial Number: 75295359 Assignment Information

Registration Number: 2347473

Mark



(words only): VIRTUAL DOLBY DIGITAL

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-07-17

Filing Date: 1997-05-20

Transformed into a National Application: No

Registration Date: 2000-05-02

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2006-07-17

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. DOLBY LABORATORIES LICENSING CORPORATION

Address:

DOLBY LABORATORIES LICENSING CORPORATION
100 Potrero Avenue
San Francisco, CA 941034813
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New York

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

multi-channel sound processors; integrated circuits; audio/video amplifiers and receivers; television receivers; stereo audio receivers; video monitors; video tuners; audio and video recorders; audio and video disc players; audio and video disc dubbing decks; cable television receivers and decoders; remote control units for these goods; computers; and computer programs used for generating, processing and playing audio signals and sounds

No Filing Basis Claimed

First Use Date: 1999-01-00

First Use in Commerce Date: 1999-01-00

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Design Search Code(s):

26.11.02 - Plain single line rectangles; Rectangles (single line)

26.11.13 - Rectangles (exactly two rectangles); Two rectangles

26.11.14 - Rectangles (three or more rectangles); Three or more rectangles

26.11.21 - Rectangles that are completely or partially shaded

Prior Registration Number(s):

1645844

1808519

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-07-17 - Section 8 (6-year) accepted & Section 15 acknowledged

2006-07-13 - Assigned To Paralegal

2006-04-17 - Section 8 (6-year) and Section 15 Filed

2006-04-17 - PAPER RECEIVED

2006-04-05 - Case File In TICSRS

2000-05-02 - Registered - Principal Register

2000-01-05 - Allowed for Registration - Principal Register (SOU accepted)

2000-01-05 - Assigned To Examiner

Latest Status Info

1999-12-15 - Assigned To Examiner
1999-12-08 - Statement of use processing complete
1999-12-07 - Extension 2 granted
1999-10-04 - Amendment to Use filed
1999-10-04 - Extension 2 filed
1999-04-28 - Extension 1 granted
1999-03-26 - Extension 1 filed
1998-10-06 - Notice of allowance - mailed
1998-07-14 - Published for opposition
1998-06-12 - Notice of publication
1998-03-31 - Approved for Pub - Principal Register (Initial exam)
1998-03-24 - Examiner's amendment mailed
1998-01-15 - Non-final action mailed
1998-01-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

BRUCE W SCHWAB

Correspondent

BRUCE W SCHWAB
TOWNSEND AND TOWNSEND AND CREW LLP
2 EMBARCADERO CTR 8TH FL
SAN FRANCISCO CA 94111-3834

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 507

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:43:26 ET

Serial Number: 75612581 Assignment Information

Registration Number: 2713739

Mark (words only): DIGIBINO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-05-06

Filing Date: 1998-12-28

Transformed into a National Application: No

Registration Date: 2003-05-06

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-11-05

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. PENTAX CORPORATION

Address:

PENTAX CORPORATION
2-36-9, MAENO-CHO, ITABASHI-KU
TOKYO 174-8639
Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

combined digital camera and binocular

Basis: 1(a)

First Use Date: 2002-06-11

First Use in Commerce Date: 2002-06-11

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-09-03 - Section 7 correction issued

2003-06-16 - Section 7 amendment filed

2003-06-16 - Section 7 amendment filed

2003-06-16 - PAPER RECEIVED

2003-05-06 - Registered - Principal Register

2003-03-24 - PAPER RECEIVED

2003-03-12 - Allowed for Registration - Principal Register (SOU accepted)

2003-02-25 - Assigned To Examiner

2003-02-21 - Statement of use processing complete

2002-11-26 - Amendment to Use filed

2002-11-26 - PAPER RECEIVED

2002-08-07 - Extension 5 granted

2002-07-08 - Extension 5 filed

2002-07-08 - PAPER RECEIVED

2002-02-14 - Extension 4 granted

2002-01-25 - Extension 4 filed

2001-07-12 - Extension 3 granted

2001-07-12 - Extension 3 filed

2001-01-30 - Extension 2 granted

2001-01-30 - Extension 2 filed

2000-09-13 - Extension 1 granted

2000-07-13 - Extension 1 filed
2000-02-01 - Notice of allowance - mailed
1999-11-09 - Published for opposition
1999-10-08 - Notice of publication
1999-07-28 - Approved for Pub - Principal Register (Initial exam)
1999-07-13 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Shoko I. Leek

Correspondent

SHOKO I. LEEK
CHRISTENSEN OCONNOR JOHNSON & KINDNESS
1420 5TH AVE STE 2800
SEATTLE WA 98101-1344

Domestic Representative

Christensen O'Connor Johnson & Kindness

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

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EXHIBIT 508

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:43:38 ET

Serial Number: 75982247 Assignment Information

Registration Number: 2605446

Mark



(words only): POLYPHONY DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-08-06

Filing Date: 2000-01-13

Transformed into a National Application: No

Registration Date: 2002-08-06

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-08-27

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sony Computer Entertainment Inc.

Address:

Sony Computer Entertainment Inc.

1-1, Akasaka 7-chome

Minato-ku, Tokyo 107-0052

Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER GAME SOFTWARE RECORDED ON MAGNETIC OR OPTICAL DISCS; RECORDED VIDEO DISCS FEATURING MUSIC AND GAMES

Basis: 1(a)

First Use Date: 1999-09-14

First Use in Commerce Date: 1999-09-14

International Class: 016

Class Status: Active

PRINTED PUBLICATIONS, NAMELY, BOOKS AND MAGAZINES ON COMPUTER GAMES

Basis: 1(a)

First Use Date: 1999-09-14

First Use in Commerce Date: 1999-09-14

ADDITIONAL INFORMATION

Disclaimer: "POLYPHONY DIGITAL"

Design Search Code(s):

26.05.02 - Plain single line triangles; Triangles, plain single line

26.05.03 - Incomplete triangles (must have two angles); Triangle, incomplete (two angles)

26.05.13 - Triangles, exactly two triangles; Two triangles

26.05.21 - Triangles that are completely or partially shaded

26.11.02 - Plain single line rectangles; Rectangles (single line)

26.11.09 - Rectangles made of geometric figures, objects, humans, plants or animals

26.11.12 - Rectangles with bars, bands and lines

26.11.21 - Rectangles that are completely or partially shaded

26.17.04 - Bands, vertical; Bars, vertical; Lines, vertical; Vertical line(s), band(s) or bar(s)

26.17.06 - Bands, diagonal; Bars, diagonal; Diagonal line(s), band(s) or bar(s); Lines, diagonal

26.17.12 - Angles (geometric); Chevrons

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2002-08-06 - Registered - Principal Register

2002-04-22 - Allowed for Registration - Principal Register (SOU accepted)

2002-04-22 - Assigned To Examiner

2002-04-10 - Assigned To Examiner

2002-04-04 - Statement of use processing complete

2002-03-07 - Amendment to Use filed
2002-04-05 - Divisional processing completed
2002-03-07 - Divisional request received
2001-12-18 - Notice of allowance - mailed
2001-09-25 - Published for opposition
2001-09-05 - Notice of publication
2001-05-22 - Approved for Pub - Principal Register (Initial exam)
2001-01-03 - Communication received from applicant
2000-07-03 - Non-final action mailed
2000-06-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ronald P. Kananen

Correspondent

RONALD P. KANANEN
RADER, FISHMAN & GRAUER PLLC
LION BUILDING SUITE 501
1233 20TH ST NW
WASHINGTON DC 20036-2304

Domestic Representative

Ronald P. Kananen

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
)
Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 509

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:43:53 ET

Serial Number: 75978127 Assignment Information

Registration Number: 2263797

Mark (words only): DETECTIVE DIGIT

Standard Character claim: No

Current Status: Registration canceled under Section 8.

Date of Status: 2006-04-22

Filing Date: 1996-11-13

Transformed into a National Application: No

Registration Date: 1999-07-20

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2000-12-15

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. A BETTER WAY OF LEARNING, INC.

Address:

A BETTER WAY OF LEARNING, INC.

150 Paularino Avenue, Suite 120

Costa Mesa, CA 92626

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Section 8 - Cancelled

prerecorded video tapes and prerecorded audio tapes

Basis: 1(a)

First Use Date: 1996-10-00

First Use in Commerce Date: 1996-10-00

International Class: 016**Class Status:** Section 8 - Cancelled

printed matter, namely, books, newsletters, magazines, pamphlets, brochures, printed instructional materials, printed educational materials, and manuals, all in the field of mathematics

Basis: 1(a)**First Use Date:** 1996-10-00**First Use in Commerce Date:** 1996-10-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-22 - Canceled Section 8 (6-year)

2000-11-27 - Reprinting Registration Certificate

1999-08-16 - Section 7 amendment filed

1999-07-20 - Registered - Principal Register

1999-05-14 - Allowed for Registration - Principal Register (SOU accepted)

1999-04-09 - Statement of use processing complete

1999-01-28 - Amendment to Use filed

1999-04-09 - Divisional processing completed

1999-01-28 - Divisional request received

1998-07-28 - Notice of allowance - mailed

1998-05-05 - Published for opposition

1998-04-03 - Notice of publication

1998-02-14 - Approved for Pub - Principal Register (Initial exam)

1998-01-30 - Examiner's amendment mailed

1998-01-08 - Communication received from applicant

1997-07-07 - Non-final action mailed

1997-07-03 - Assigned To Examiner

1997-06-23 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

CYNTHIA L PILLOTE

Correspondent

CYNTHIA L PILLOTE
SNELL & WILMER LLP
1 ARIZONA CTR
400 E VAN BUREN
PHOENIX AZ 85004-0001

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 510 .

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:44:07 ET

Serial Number: 75941145 Assignment Information

Registration Number: 2769520

Mark (words only): NDI

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-09-30

Filing Date: 2000-03-10

Transformed into a National Application: No

Registration Date: 2003-09-30

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-10-07

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Northern Digital Inc.

Address:

Northern Digital Inc.
103 Randall Drive
Waterloo, Ontario N2V 1C5
Canada

Legal Entity Type: Corporation

State or Country of Incorporation: Canada

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic motion measurement and position detection devices for use in industrial applications to measure the position and/or orientation of target objects, and computer software for the operation of the foregoing devices

Basis: 1(a)

First Use Date: 1966-06-01

First Use in Commerce Date: 1996-06-01**International Class:** 010**Class Status:** Active

Components for medical devices, namely, electronic motion measurement and position detection devices for use in medical applications to measure the position and/or orientation of analytical or therapeutic devices with respect to a patient during analytical or therapeutic procedures, for measuring motion of a living body for analysis or therapy, and computer software sold as a unit therewith for the operation of the foregoing devices

Basis: 1(a)**First Use Date:** 1996-06-01**First Use in Commerce Date:** 1996-06-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-09-30 - Registered - Principal Register

2003-08-05 - Allowed for Registration - Principal Register (SOU accepted)

2003-08-05 - Assigned To Examiner

2003-07-09 - Statement of use processing complete

2003-07-09 - Extension 1 granted

2003-05-30 - Amendment to Use filed

2003-05-30 - Extension 1 filed

2003-06-02 - PAPER RECEIVED

2002-12-31 - Notice of allowance - mailed

2002-04-23 - Extension Of Time To Oppose Received

2002-04-02 - Published for opposition

2002-03-13 - Notice of publication

2001-12-10 - Approved for Pub - Principal Register (Initial exam)

2001-11-29 - Examiner's amendment mailed

2001-05-29 - Final refusal mailed

Latest Status Info

2001-02-28 - Communication received from applicant

2000-08-30 - Non-final action mailed

2000-08-22 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Timothy A. French

Correspondent

TIMOTHY A FRENCH
FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON MA 02110-2804

Domestic Representative

Timothy A. French

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 511

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:44:18 ET

Serial Number: 75937466 Assignment Information

Registration Number: 2735096

Mark (words only): GENERATION DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-07-08

Filing Date: 2000-03-07

Transformed into a National Application: No

Registration Date: 2003-07-08

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-07-14

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. D-Generation, Inc.

Address:

D-Generation, Inc.
595 W. Granada Blvd., Suite J
Ormond Beach, FL 32174
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Video cameras; video cassette recorders; video game discs; video game discs featuring youths or cartoon figures; video tape recorders; blank audio cassettes; blank video cassettes; musical sound recordings; sunglasses; laser pointers; video game controllers; miniature televisions; video game cartridges; blank magnetic data carriers; pre-paid telephone calling cards, magnetically encoded; vending machines; data processors

Basis: 1(a)**First Use Date:** 1999-06-08**First Use in Commerce Date:** 1999-06-17**International Class:** 036**Class Status:** Active

Insurance administration; financial management; funds investment; electronic banking transaction processing services; electronic processing of insurance claims and payment data; electronic processing of bill payment data; credit card, debit card, and ATM card transaction processing services; electronic funds transfer; telephone calling card services

Basis: 1(a)**First Use Date:** 2001-07-15**First Use in Commerce Date:** 2001-07-15**International Class:** 038**Class Status:** Active

Telecommunications services, namely, cellular and local cellular telephone services; electronic mail services; broadcasting services by means of radio, television, cable television, and the Internet; pager services; cellular and pager services which feature use of the cellular or pager device as a two-way radio

Basis: 1(a)**First Use Date:** 2001-07-15**First Use in Commerce Date:** 2001-07-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-07-08 - Registered - Principal Register

2003-05-09 - Allowed for Registration - Principal Register (SOU accepted)

2003-05-08 - Examiner's amendment mailed

2003-05-07 - Previous allowance count withdrawn

2003-04-09 - Allowed for Registration - Principal Register (SOU accepted)

2003-04-07 - Statement of use processing complete

2003-01-07 - Amendment to Use filed

2003-01-08 - PAPER RECEIVED

2002-08-05 - Extension 2 granted

2002-07-30 - Extension 2 filed

Latest Status Info

2002-07-30 - TEAS Extension Received
2001-12-18 - Extension 1 granted
2001-12-18 - Extension 1 filed
2001-07-31 - Notice of allowance - mailed
2001-05-08 - Published for opposition
2001-04-25 - Notice of publication
2001-02-07 - Approved for Pub - Principal Register (Initial exam)
2001-02-06 - Examiner's amendment mailed
2000-12-07 - Communication received from applicant
2000-09-18 - Non-final action mailed
2000-08-31 - Assigned To Examiner
2000-08-31 - Assigned To Examiner
2000-08-27 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

MARTIN C. BOIRE
D-GENERATION, INC.
595 W. GRANADA BLVD., SUITE J
ORMOND BEACH, FL 32174

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 512

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:44:30 ET

Serial Number: 75935062 Assignment Information

Registration Number: 2489642

Mark (words only): DIGITAL SPORTS INFORMATION

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-09-11

Filing Date: 2000-02-15

Transformed into a National Application: No

Registration Date: 2001-09-11

Register: Supplemental

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2001-10-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Trakus, Inc.

Address:

Trakus, Inc.
10 Cabot Road, Suite 303
Medford, MA 02155
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Massachusetts

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER HARDWARE AND SOFTWARE USED TO ACQUIRE, PROCESS, DISTRIBUTE, STORE, AND DISPLAY DATA RELATING TO SPORTING EVENTS

Basis: 1(a)

First Use Date: 1998-11-24

First Use in Commerce Date: 1998-11-24

International Class: 038

Class Status: Active

BROADCASTING SPORTING EVENT DATA VIA A GLOBAL COMPUTER NETWORK, TELEVISION, INTERACTIVE TELEVISION, AND WIRELESS COMPUTER NETWORKS

Basis: 1(a)

First Use Date: 1998-11-24

First Use in Commerce Date: 1998-11-24

International Class: 041

Class Status: Active

COMPUTER DATABASES FEATURING GRAPHICS, ANIMATIONS, REPORTS, ANALYSES, VIDEO, AUDIO AND DATA RELATING TO SPORTING EVENTS

Basis: 1(a)

First Use Date: 1998-11-24

First Use in Commerce Date: 1998-11-24

ADDITIONAL INFORMATION

Disclaimer: "SPORTS INFORMATION"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-03-04 - TEAS Change Of Correspondence Received

2001-09-11 - Registered - Supplemental Register

2001-05-17 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2001-05-15 - Examiner's amendment mailed

2001-02-16 - Communication received from applicant

2000-08-17 - Non-final action mailed

2000-08-14 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

TKS, Inc.

attn: Bob McCarthy

433 Broadway

Everett MA 02149

Phone Number: 617 544 6070 x302

Fax Number: 617 544 6071

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 513

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:44:42 ET

Serial Number: 75932703 Assignment Information

Registration Number: 2595222

Mark (words only): DIGITAL HEARTH

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-07-16

Filing Date: 2000-03-01

Transformed into a National Application: No

Registration Date: 2002-07-16

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-07-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. APPROPRIATE SOLUTIONS, INC.

Address:

APPROPRIATE SOLUTIONS, INC.

85 Grove Street, P.O. Box 458

Peterborough, NH 034580458

United States

Legal Entity Type: Corporation

State or Country of Incorporation: New Hampshire

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

DOWNLOADABLE ELECTRONIC PUBLICATIONS IN THE NATURE OF BOOKS, NEWSLETTERS, AND MAGAZINES IN THE FIELD OF FOOD, FOOD RECIPES, FOOD HANDLING AND SAFETY AND COOKING; ELECTRONIC PUBLICATIONS, NAMELY, BOOKS, NEWSLETTERS AND MAGAZINES IN THE FIELD OF FOOD, FOOD RECIPES, FOOD HANDLING AND SAFETY, AND COOKING, RECORDED ON FLOPPY DISKS,

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=2595222>

1/16/2007

CD-ROM DISKS, AND DIGITAL VIDEO DISKS

Basis: 1(a)

First Use Date: 2000-02-02

First Use in Commerce Date: 2000-02-02

International Class: 042

Class Status: Active

ON-LINE SERVICES, NAMELY, PROVIDING AN ON-LINE COMPUTER DATABASE IN THE FIELD OF FOOD, FOOD RECIPES, FOOD HANDLING AND SAFETY, AND COOKING

Basis: 1(a)

First Use Date: 2000-02-02

First Use in Commerce Date: 2000-02-02

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2002-09-27 - TEAS Change Of Correspondence Received
 - 2002-09-27 - TEAS Change Of Correspondence Received
 - 2002-07-16 - Registered - Principal Register
 - 2002-03-30 - TEAS Change Of Correspondence Received
 - 2002-03-14 - Allowed for Registration - Principal Register (SOU accepted)
 - 2002-03-11 - Statement of use processing complete
 - 2002-02-15 - Amendment to Use filed
 - 2001-11-20 - Notice of allowance - mailed
 - 2001-08-28 - Published for opposition
 - 2001-08-08 - Notice of publication
 - 2000-11-28 - Approved for Pub - Principal Register (Initial exam)
 - 2000-10-10 - Communication received from applicant
 - 2000-08-11 - Non-final action mailed
 - 2000-08-10 - Assigned To Examiner
-

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Teresa C. Tucker

Correspondent

TERESA C. TUCKER
GROSSMAN, TUCKER, PERREAULT & PFLEGER
55 SOUTH COMMERCIAL STREET
MANCHESTER NH 03301
Phone Number: 603.668.6560
Fax Number: 603.668.2970

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
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Opposer)
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v.)
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DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 514

TO APPLICANT'S NOTICE OF RELIANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:44:59 ET

Serial Number: 75932114 Assignment Information

Registration Number: 2610310

Mark (words only): BIDPATH

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-08-20

Filing Date: 2000-02-29

Transformed into a National Application: No

Registration Date: 2002-08-20

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2002-12-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Bidpath.com Corporation

Address:

Bidpath.com Corporation

P.O. Box 2275

Redmond, WA 980732275

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Washington

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for creating digital pictures and/or digital video clips of items to be auctioned; database management software for use in categorizing, searching, and retrieving digital pictures, video clips and descriptions of items to be auctioned

Basis: 1(a)

First Use Date: 2000-03-31

First Use in Commerce Date: 2000-03-31

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-08-14 - Review Of Correspondence Complete
- 2002-10-07 - PAPER RECEIVED
- 2002-08-20 - Registered - Principal Register
- 2002-02-27 - Allowed for Registration - Principal Register (SOU accepted)
- 2001-11-27 - Communication received from applicant
- 2001-11-08 - Non-final action mailed
- 2001-11-02 - Previous allowance count withdrawn
- 2001-11-02 - Allowed for Registration - Principal Register (SOU accepted)
- 2001-10-22 - Statement of use processing complete
- 2001-09-28 - Amendment to Use filed
- 2001-04-03 - Notice of allowance - mailed
- 2001-01-09 - Published for opposition
- 2000-12-08 - Notice of publication
- 2000-09-06 - Approved for Pub - Principal Register (Initial exam)
- 2000-08-08 - Examiner's amendment mailed
- 2000-07-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Albert S. Chu

Correspondent

ALBERT S. CHU
CAIRNCROSS & HEMPLEMANN, P.S.
70TH FLOOR, COLUMBIA CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7016

OPPOSITION NO. 91163719
Serial No. 76/561,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

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EXHIBIT 515

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 12:45:12 ET

Serial Number: 75931205 Assignment Information

Registration Number: 2433469

Mark (words only): DIGITAL CELLARS

Standard Character claim: No

Current Status: A Section 8 affidavit has been accepted.

Date of Status: 2006-11-08

Filing Date: 2000-02-28

Transformed into a National Application: No

Registration Date: 2001-03-06

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-11-28

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Cortopassi, David L.

Address:
Cortopassi, David L.
26 Sage Way
Napa, CA 94559
United States

Legal Entity Type: Individual
Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
SERIES OF MUSICAL SOUND RECORDINGS
Basis: 1(a)
First Use Date: 1998-05-18
First Use in Commerce Date: 1998-07-15